

JANUARY 6, 2011

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, at 9:01 a.m.

Present were Commissioners:

Carol Whitmore, Chairman
John R. Chappie, First Vice-Chairman
Lawrence E. Bustle, Jr., Second Vice-Chairman
Michael Gallen, Third Vice-Chairman
Robin DiSabatino
Donna Hayes
Joe McClash

Also present were:

Sarah Schenk, Deputy County Attorney
Susan G. Romine, Board Records Senior Manager,
representing R. B. Shore, Clerk of Circuit Court

Invocation by Mrs. Hayes.

All witnesses and staff giving testimony were duly sworn.

AGENDA

Agenda of January 6, 2011, and agenda update memorandum.

[BC20110106DOC001](#)

CHIEF MARK SOUDERS - MEMORIAL SERVICE

Ms. Whitmore spoke of the sudden passing of City of Bradenton's Fire Chief Mark Souders and reported the only County facility with ample parking for a memorial service is the Manatee Civic Center. She spoke with Mayor Wayne Poston who committed the City of Bradenton to pay set up and tear down fees, and requested the Board waive rental fees.

Mr. McClash stated the Civic Center Authority would need to take action to waive the fees.

(Note: Additional discussion later in the meeting).

[BC20110106DOC002](#)

CONSENT AGENDA

Motion was made by Mr. Bustle, seconded by Mrs. DiSabatino, and carried 7 to 0, to approve the Consent Agenda incorporating the language as stated in the recommended motions in the agenda memoranda (as may have been amended in the agenda update memorandum). Items APPROVED:

CLERK'S CONSENT CALENDAR

[BC20110106DOC003](#)

BONDS

Accept:

Sheriff's Public Employees and Deputy Sheriff's Blanket Bonds (12 additions, 11 deletions)

[BC20110106DOC004](#)

MJ Schrader Ranch

Accept Amendment to Irrevocable Standby Letter of Credit 9541193542 00014, extending the maturity date to December 15, 2012, for Landspreading Permit 02MC08 with Appalachian Material Service, Inc.

[BC20110106DOC005](#)

REFUNDS

Neal Communities of Southwest Florida, Inc. - Impact Fees

\$962.00

WARRANT LIST

December 14, 2010 through January 5, 2011

[BC20110106DOC006](#)

[BC20110106DOC007](#)

MINUTES

November 9, 16, 30, 2010 and December 2, 2010

[BC20110106DOC008](#)**ADOPT**

R-11-004 RESOLUTION AUTHORIZING THE SIGNATURES OF R. B. SHORE, CLERK OF CIRCUIT COURT; CAROL WHITMORE, CHAIRMAN, OR JOHN CHAPPIE, VICE-CHAIRMAN, BOARD OF COUNTY COMMISSIONERS, ON CHECKS WITHDRAWING FUNDS FROM BANK OF AMERICA.

[BC20110106DOC009](#)**ACCEPT**

City of Anna Maria – City Commission Public Hearing Notice, Thursday, January 27, 2011, for rezoning of certain Commercial District (C-1) lots to Residential/Office/Retail (ROR), in compliance with the City of Anna Maria’s Comprehensive Plan.

[BC20110106DOC010](#)

East Manatee Fire Rescue District – Updated Special Public Facility Report pursuant to *Chapter 189.415, Florida Statutes*.

[BC20110106DOC011](#)

Manatee County Mosquito Control District – Public Official Bonds and Oaths of Office for Commissioners Ralph C. Garrison and Timothy E. Matthews.

[BC20110106DOC012](#)

Peace River Manasota Regional Water Supply Authority – Board of Directors Meeting Schedule for 2011.

[BC20110106DOC013](#)

Sarasota Manatee Airport Authority – Regularly scheduled meetings for 2011.

[BC20110106DOC014](#)

Administrative Contract Adjustments (Pursuant to Resolution R-07-189):

1. **75th Street West (53rd Avenue to Cortez Road)** – Adjustment One (final) to contract with City Excavating LLC; decrease of \$67,834.63, adjusted total \$701,910.35; and an additional 28 calendar days for a revised completion date of November 9, 2010.

[BC20110106DOC015](#)

2. **Master Meter Replacement – Bradenton Country Club** – Adjustment One to contract with Canio Construction LLC; increase of \$679.35, adjusted total \$10,879.35.

[BC20110106DOC016](#)

3. **Whitfield Avenue/Prospect Road Intersection** – Adjustment One to Contract with McLeod Land Services, Inc.; decrease of \$3,298.13, adjusted total \$420,906.93.

[BC20110106DOC017](#)

Contract Documents (Pursuant to Manatee County Code, Chapter 2-26):

1. **Beverage and Snack Food Vending Machine Concessions** – Addendum Four to License Agreement with Snackworks, Inc., extending agreement for six months (12/20/10-6/19/11) and adding services at the Manatee County Judicial Center as detailed in Attachment A.

[BC20110106DOC018](#)

2. **Cairns Corporation for East Bradenton Pool** – Executed Settlement Agreement, Assignment, and Release with SureTec Insurance Company, the surety for Cairns Corporation, for the East Bradenton Pool, with the County retaining the contract balance of \$104,427.96 and receiving SureTec Insurance Company Check 16830, \$15,000. (Contract with Cairns Corporation accepted 12/1/09).

[BC20110106DOC019](#)

3. **Community Care for the Elderly – Personal Care Service** – Addendum One to contract with Approved Home Health; increase of \$26,821, adjusted total \$115,826 (FY 2010-11).

[BC20110106DOC020](#)

4. **Mail Handling Services Agreement** – Addendum Five to contract with Access Mail Processing Services, Inc., extending the agreement six months (1/5/11-7/4/11) for an estimated amount of \$35,000.

[BC20110106DOC021](#)

5. **Medical Director Services Agreement** – Agreement with Joseph Soler, M.D., P.A., to retain services as Manatee County Health Plan Director.

[BC20110106DOC022](#)

6. **Myakka Community Center Design/Build** – Change Order 1 to Agreement with Zirkelbach Construction, Inc.; adding 59 calendar days for a revised completion date of February 22, 2011.

[BC20110106DOC023](#)

7. **Professional Auctioneering Services Agreement** – Addendum Six to Agreement with Tampa Machinery Auction, Inc., extending the agreement six months (12/7/10-6/6/11).

[BC20110106DOC024](#)

8. **Professional Marketing Research Services – Bradenton Convention and Visitors Bureau** – Addendum Three to Agreement with Research Data Services, Inc., extending the agreement one year (1/1/11–12/31/11). [BC20110106DOC025](#)
9. **Sewer Upgrade Satellite Lift Stations – Colony Cove 7, Peridia 1** – Change Order Two to Purchase Order P1100194 with Canio Construction LLC; increase of \$4,728.24, adjusted total \$164,353.74. [BC20110106DOC026](#)
10. **Saffold Road Bridge Replacement** – Purchase Order P1100532 with Lovin Construction, Inc.; \$261,850; Performance Bond, Payment Bond; and Certificate of Liability Insurance. [BC20110106DOC027](#)
11. **Saffold Road Bridge Replacement** – Change Order One to Purchase Order P1100532 with Lovin Construction, Inc.; increase of \$12,211.20, adjusted total \$274,061.20. [BC20110106DOC028](#)

Bennett Park – Cooperative Agreement with the U.S. Department of the Interior, Fish and Wildlife Service, for **restoration activities** (replacing agreement executed 6/8/10 due to changes made by Fish and Wildlife Service). [BC20110106DOC029](#)

Utilities Corrective Documents – Scrivener’s Error for bad debt write-off (approved 11/16/10); authorization to write off bad debts of \$51,275.10 (Water/Sewer Fund 401) and \$18,157.79 (Solid Waste Fund 480) for October 2010, should read November 2010; and

Utilities Department October 2010 IFAS Accounts Monthly Bad Debt Write-off Process, should read November 2010. [BC20110106DOC030](#)

Waste Management Incorporated of Florida dba Waste Management of Manatee County – Certificates of Liability Insurance (associated with Resolution R-08-124 and Solid Waste Franchise Agreement executed April 22, 2008). [BC20110106DOC031](#)

Waste Pro of Florida, Inc. – Certificate of Liability Insurance (associated with Resolution R-08-123 and Solid Waste Franchise Agreement executed April 22, 2008). [BC20110106DOC032](#)

AUTHORIZE CHAIRMAN TO SIGN

15th Street East - Rail Crossing - Scrivener’s Error for incorrect payment amount (approved on 12/7/10). Execution of Agreement for Public Road Crossing, 15th Street East Improvements, with Seminole Gulf Railway LP for the completion of repairs to the grade crossing, \$83,000.

(End Consent Agenda)

[BC20110106DOC033](#)

PUBLIC HEARINGS – PRESENTATIONS UPON REQUEST

ZONING

Public hearing (continued from 12/2/10) was opened to consider

Z-10-08 HONDA CARS OF BRADENTON REZONE (CONTINUED TO FEBRUARY 3, 2011)
 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE), RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR A REZONE OF APPROXIMATELY 2.4 ACRES ON THE EAST SIDE OF U.S. 41, AT 5515 14TH STREET WEST, BRADENTON, FROM **RMF-6** TO THE **GC** ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE. [BC20110106DOC034](#)

Public hearing (continued from 12/2/10) was opened to consider

PDR-03-30(P)(R) GAMBLE CREEK ESTATES (CONTINUED TO FEBRUARY 3, 2011)
 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, APPROVING AN AMENDED ZONING ORDINANCE AND PRELIMINARY SITE PLAN, REVISING STIPULATIONS REGARDING THOROUGHFARE RIGHT-OF-WAY DEDICATIONS, IMPACT FEE CREDITS, BUFFERS, LANDSCAPING, NATURAL RESOURCES, BUILDING SETBACKS, NUMBER OF LOTS, LOT SIZES, LOT DIMENSIONS, BUILDING HEIGHT, BUILDING COLOR, PUBLIC WATER AND SEWER UTILITIES, IRRIGATION WATER, STORM WATER MANAGEMENT, ACCESS, PARKS, RECREATION FACILITIES, FIRE HYDRANTS, CONTAMINATION BY HAZARDOUS MATERIALS, LAND CLEARING, REMOVAL OF OLD HOUSES EXISTING PRIOR TO

PLATTING, LIGHTING, TREE PROTECTION, NATIVE VEGETATION, AND EDUCATIONAL FACILITY IMPACT FEES, APPLYING TO APPROXIMATELY 164 ACRES IN GAMBLE CREEK ESTATES LOCATED NORTH OF GOLF COURSE ROAD AND WEST OF SPENCER PARRISH ROAD IN THE PDR ZONING DISTRICT; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE. [BC20110106DOC035](#)

Public hearing (No Notice published) was opened to consider **PDMU-99-02(G)(R4) AND PDMU-99-02(P)(R) RIVER CLUB PARK OF COMMERCE MASTER SIGNAGE PLAN** (CONTINUED TO JANUARY 11, 2011)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING ORDINANCE PDMU-99-02(G)(R3) AND PDMU-99-02(P) PERTAINING TO STIPULATIONS OF APPROVAL REGARDING SIGNS TO ALLOW A MASTER SIGN PLAN FOR THE RIVER CLUB PARK OF COMMERCE DRI, PROVIDING FOR SPECIFIC APPROVALS AS APPLICABLE; AND APPROVING A MASTER SIGN PLAN. RIVER CLUB PARK OF COMMERCE IS GENERALLY LOCATED EAST OF I-75, SOUTH OF STATE ROAD 70 AND NORTH OF LINGER LODGE ROAD (245.38 ACRES). [BC20110106DOC036](#)

Public hearing (No Notice published) was opened to consider **PDR-07-06 (Z)(P) INSIGNIA BANK LLC/EAGLE TRACE SUBDIVISION** (CONTINUED TO FEBRUARY 3, 2011)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE), RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR A REZONE OF APPROXIMATELY 60.87 ACRES ON THE SOUTH SIDE OF STATE ROAD 64, APPROXIMATELY 1/2 MILE WEST OF POPE ROAD AT 1808 JOHN TAYLOR ROAD, BRADENTON, FROM A TO THE PDR ZONING DISTRICT; AND APPROVING A PRELIMINARY SITE PLAN FOR 131 LOTS FOR SINGLE-FAMILY DETACHED RESIDENCES; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE. [BC20110106DOC037](#)

Public hearing (continued from 12/2/10) was opened to consider

Z-10-10 RICHARD HUDSON/HUDSON REZONE

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE), RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR A REZONE OF APPROXIMATELY 0.36 ACRES ON THE NORTH SIDE OF STATE ROAD 70, IN THE NORTHEAST CORNER OF 46TH COURT EAST AND STATE ROAD 70, AT 5315 46TH COURT EAST, BRADENTON, FROM **RSF-6** TO THE **PR-M** ZONING DISTRICT; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Planning Commission recommended APPROVAL.

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, Mrs. DiSabatino moved to ADOPT Manatee County Zoning Ordinance **Z-10-10**, as recommended by the Planning Commission. The motion was seconded by Mrs. Hayes and carried 7 to 0. [BC20110106DOC038](#)

(Note: Motion on remaining items made later in the meeting)

ZONING

Public hearing (Notices published) was held to consider

PDR-05-02(P)(R) RIVE ISLE ASSOCIATES, LTD/RIVER WILDERNESS PHASE IV

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, APPROVING AN AMENDED ZONING ORDINANCE AND REVISED PRELIMINARY SITE PLAN REDUCING THE REQUIRED SIDE YARD SETBACKS FOR SINGLE-FAMILY DWELLING UNITS, ADDING A STIPULATION REGARDING SEPARATION BETWEEN ACCESSORY EQUIPMENT AND STRUCTURES ON 20.94 ACRES LOCATED IN THE SOUTHWEST CORNER OF OLD TAMPA ROAD AND FORT HAMER ROAD, AND NORTH OF THE MANATEE RIVER, PARRISH, IN THE PDR/NCO ZONING DISTRICT; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Planning Commission recommended APPROVAL with Stipulations.

Mr. McClash questioned if the AC Pad diagram for the ten-foot setback separation was included in the packet. Bob Schmitt, Planning Department, assured that the graphic will be included.

Discussion: Incorporate as a standard stipulation; work session topic; procedural issue; etc.

Caleb Grimes, attorney for applicant, discussed the location of the property in River Wilderness and noted the original plan was for commercial use; however, an updated plan was approved in 2009 for a 53-lot subdivision with eight-foot, side yard setbacks. No density changes are requested and the lot sizes remain unchanged; but this request will allow for larger homes. There are neighborhoods in River Wilderness that have five-foot, side yard setbacks.

Discussion: Wetland area; Land Development Code (LDC) buffer; plan shows ten-foot wetland buffers; must demonstrate no wetland impacts; etc.

Mr. Grimes stated the setback from the wetland buffer was addressed in the 2009 approval.

Joel Christian, Natural Resources Department, confirmed that the wetland stipulation addresses placing wetland buffer signs as notification of setback reduction. There will be swales, or the lots will be graded to drain to the front or other sides of the yards.

Discussion: Setbacks in surrounding communities; square footage of proposed homes; 55-foot lots; tunnel effect of two multi-level homes with small side yard setbacks; etc.

Mr. Grimes displayed the site plan and pointed out the two lots adjacent to the wetland buffer. There is a 30-foot wetland buffer and then a ten-foot setback to the homes. An aerial showed the wetland area and the location of the five-foot setbacks.

Discussion: Zero lot line setbacks; ten feet between buildings; signage is important to caution residents not to mow conservation areas; could have standing water; green community; more open space; swales and drainage; etc.

Thomas Gerstenberger, Public Works Department, displayed the AC Pad Detail to show the air conditioning unit separation. The side yard swales are typically designed for a ten-year storm and are designed for run-off to recede in a few hours after a storm event. The two lots bordering the wetland area are graded for the front yards to drain toward the street and the rear yards to drain into the retention area. There will be a swale to direct the water to those areas.

Discussion: Landscaping around pool equipment; address concerns on the record; setback standards; pool pump noise issues; forward citizen concerns to Commissioners; etc.

Based on the staff report, evidence presented, comments made at the public hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, Mr. Bustle moved to ADOPT Manatee County Zoning Ordinance **PDR-05-02(P)(R)**; amending and restating Ordinance PDR-05-02(P) amend Stipulation A.3 and add Stipulation A.8; and APPROVE the Revised Preliminary Site Plan; Granting Special Approval for a project that was previously granted Special Approval for a project exceeding a gross density of 1 dwelling unit per acre in the UF-3 Future Land Use Category and Granting Specific Approval for a project that was previously granted Specific Approval for alternatives to LDC Sections 604.10.3.6(a), 722.1.4.3, and 907.9.4.2, as recommended by staff. The motion was seconded by Mr. Chappie and carried 6 to 1, with Mrs. DiSabatino voting nay.

[BC20110106DOC039](#)

PUBLIC HEARINGS - PRESENTATIONS UPON REQUEST (Continued)

Motion was made by Mr. McClash to approve the presentations upon request agenda incorporating the language as stated in the recommended motions in the agenda memoranda (as may have been amended with agenda update memorandum). The motion was seconded by Mrs. Hayes and carried 7 to 0.

CHIEF MARK SOUDERS - MEMORIAL SERVICE

Jim Minix, Chief Deputy County Attorney, recommended opening a Civic Center Authority meeting to discuss waiving fees for the memorial service.

[BC20110106DOC002](#)

Recess/Reconvene. All members present.

RED LIGHT CAMERAS

Mrs. Hayes discussed the approved red light camera at the intersection of Tara Boulevard and State Road 70, which has not yet been installed. The process has been slowed due to State Legislature dictating that the process has to be negotiated and overseen by the Manatee County Sheriff's Office. There are cameras operating at the intersection of 34th Street and 53rd Avenue West, and at an intersection on 15th Street East that were approved before the legislation was passed. Funds generated by these cameras will dictate the installation of the Tara camera.

Motion was made by Mrs. Hayes and seconded by Mr. Bustle, to direct the County Administrator to advise the Board what can be done to move forward getting the camera installed. The motion carried 7 to 0.

[BC20110106DOC040](#)

COMMISSIONERS' COMMENTS

Myakka City Bridges

Mrs. Hayes noted emails from constituents who were pleased with Manatee County working with Sarasota County on these bridges in Sarasota County to provide alternate transportation routes.

[BC20110106DOC040](#)

Football Playoffs

Mrs. Hayes commented on the Pittsburgh Steelers making the playoffs.

[BC20110106DOC040](#)

NORTH RIVER SWIMMING POOL

Mr. Gallen requested a cost analysis by staff to work with Palmetto and the YMCA for pool maintenance. There are four swimming pools south of the Manatee River, and children should not have to be bussed to the other pools (discussed at 1/4/11 Council of Governments meeting and Joint meeting following).

Discussion: Island children had to commute to pools for swimming lessons; budget cuts; \$3-4 million dollars; number one on unfunded Capital Improvement Program (CIP); School Board to look at using old Palmetto Elementary as YMCA; may locate pool there; regulation pool to hold County meets and bring in revenue; South County CRA has \$3 million set aside for building and pool; every child should be taught to swim; transportation should be provided; ball fields should be funded; no funds at this time; help prevent juvenile crime; family and community ties; need cost analysis; etc.

Motion was made by Mr. Gallen for staff to prepare a cost analysis of providing the funds necessary to move forward with the plan that the City of Palmetto put forward regarding the ball fields and the pool at Blackstone versus the other plan that Chairman Whitmore mentioned (Palmetto Elementary School). The motion was seconded by Mr. Bustle.

Discussion: Land costs as well as pool and maintenance costs; where to cut budget; grant money; study for location and costs; City of Palmetto should work with YMCA director; YMCA is doing study, analysis, and survey; budget shortfall; risk factors addressed for family and community; rowing program just implemented; etc.

The motion **failed** 2 to 5 with Mr. Chappie, Mrs. DiSabatino, Mrs. Hayes, Mr. McClash, and Ms. Whitmore voting nay. [BC20110106DOC040](#)

COMMISSIONERS' COMMENTS (Continued)

Lincoln Park

Mr. Gallen spoke of access to Lincoln Park from the train tracks and the back of the Park where there is no fencing. He suggested a need to secure the Park.

Ed Hunzeker, County Administrator, expressed appreciation that motions are made when items will surpass the two-hour rule, but this issue should be addressed in a much shorter time. [BC20110106DOC040](#)

"Through The Tunnel" Movie

Mr. Gallen noted seeing the movie and would like to speak to the graduating class regarding a monument at Lincoln Middle School, or on County property near the tunnel. The monument could be funded through donations. [BC20110106DOC040](#)

4-H Foundation Meeting

Mr. Gallen attended the meeting and noted a golf tournament to be held on February 26 as a fundraiser. He invited all to attend. [BC20110106DOC040](#)

Palma Sola Scenic Highway

Mr. Chappie noted an expansion to the Scenic Highway area is being sought and the application requires a signature by the Board Chairman. There are some legal issues and the matter is time sensitive.

Ms. Whitmore referenced a notebook on the Scenic Highway and entered it into the record.

Discussion: Scenic Highway ends at East Bay Drive; designation to continue to Manatee Public Beach; no cost to County; Island Mayors have signed; permission for Chairman to sign; etc.

Mr. Hunzeker noted he responded by mail to the request for support of the expansion by stating he could not support the project due to impending budget cuts.

Discussion: Place on future agenda; to loop around Gulf Drive and East Bay to Bradenton Beach; State responsibility; etc. [BC20110106DOC041](#)

Martin Luther King, Jr., Parade

Mr. Bustle spoke of riding in the annual parade and suggested all Commissioners participate. [BC20110106DOC040](#)

Veterans Village

Mr. Bustle reported a ribbon cutting ceremony will take place on Ellenton Gillette Road on January 15, for the Veterans Village being developed by Kent Geartz. [BC20110106DOC040](#)

Gold Buyers

Mr. Bustle expressed concern that shops that buy gold are encouraging crime and theft. Jewelry is being stolen to sell for cash to buy drugs. He suggested regulations or a moratorium on gold shops.

Discussion: Meet with Code Enforcement and the Sheriff's Office to bring back report; free enterprise; Statutes on pawn shops; no requirements on gold shops; research local codes; etc.

[BC20110106DOC040](#)

Sovereign Submerged Lands

Mr. Bustle stated all sovereign submerged lands in Tampa Bay are owned by the Port of Tampa and questioned if Port Manatee could take ownership through legislation.

Discussion: Discuss next week under the Port Authority; time frame to submit information; make a legislative platform; requires legislation; would be helpful for permits; etc.

[BC20110106DOC040](#)

Pride Park Home Renovation

Mrs. DiSabatino thanked the vendors, Bradenton Kiwanis Club, the Manatee High School Key Club, and the CRAs for work and donations to renovate a home in Pride Park. The work finished on New Years Eve and was a great community effort. MGA-TV will produce a DVD of the project that will be placed on a future agenda.

[BC20110106DOC040](#)

Adopt-a-Block Project

Mrs. DiSabatino requested a proclamation for Daniel Judge of Bayside Community Church, who has led the successful Adopt a Block project.

[BC20110106DOC040](#)

Rowing Facility

Mrs. DiSabatino thanked all involved with implementing the program and spoke of the great opportunity and economic engine for the County.

Discussion: Schedule for college teams; welcoming banners at airport; discuss at Tourist Development Council; press releases; show appreciation; wall of fame; video being done; etc.

[BC20110106DOC040](#)

Sarasota-Bradenton International Airport

Mrs. DiSabatino noted receiving an email from a resident that stated his incoming flight was welcomed to the Sarasota Airport. Bradenton was not mentioned.

[BC20110106DOC040](#)

Wetland Policy

Mr. McClash requested a Board briefing on direction changes on wetland policies before any more are destroyed.

Discussion: Place in work session; etc.

[BC20110106DOC040](#)

Road Policies

Mr. McClash requested information from the Public Works and Planning Departments to address the policy of driveways not connecting to through roads in subdivisions, and for roundabouts. Many roundabouts are being placed in Tampa corridors, are green, and should be encouraged to deal with traffic issues.

Discussion: Place in future work session; update Commissioners; etc.

[BC20110106DOC040](#)

Urban Sprawl

Mr. McClash spoke of growth, focusing on sprawl, and past plans and policies. Guidelines are general and should be more specific to be implemented for development approvals. He suggested there are restrictions on changing the Comprehensive Plan due to property rights issues, and discussion should be held on why it cannot be changed.

Discussion: One Bay study; urban area in Parrish; will be discussed in Evaluation and Appraisal Report process; schedule to be worked out; coordinate with how County grows and LDC rewrite; Utility Service Area; will schedule work session; much work done by Planning Commission; impact fees to encourage urban core development; incentives; tiered impact fee system; joint meeting with Planning Commission; plan to reduce impact fees; procedure amendments; etc.

Mr. Hunzeker stated the Board's direction was to reduce the current Transportation Impact Fee for two years, which will expire in July 2011. He has been working with the consultant to develop a plan that will be brought back to the Board. A report on that status will be discussed later in the month to ensure the plan direction.

Mr. McClash noted the Planning Department was supposed to develop a new set of standards and procedures, and he would like a report on those changes.

Mr. Hunzeker responded that the information will be brought back to the Board along with the findings of the Matrix Study conducted almost two years ago.

John Osborne, Planning Director, reported that the Land Use Approval Guide was posted on the County website to guide customers through the process of land applications.

Discussion: Changes from County Attorney's Office; commitment for procedures book; constant revisions; planners completing procedures manual; can Buzzsaw software used by the County be viewed by public; signage and notices; bigger signs; layman notices; etc. [BC20110106DOC040](#)

Budget Procedures

Mr. McClash requested dialogue on budget procedures. He expressed concern with layoffs and new positions in the interim of the budget without communication. Commissioners are responsible for the budget and the process, and should be briefed by the County Administrator.

Discussion: Revenues still not rising; Administrator's job to balance the budget; should discuss layoffs; have David Klement give update to Board; look at CIP projects for budget cuts; etc.

Mr. Hunzeker noted the currently adopted CIP includes separately funded utility projects, and transportation projects that receive outside funding, such as impact fees and grants. Prior budget reductions came from reducing projects funded with property taxes. The County will not have funds to operate some of the projects that are funded with impact fees or grants, so those funds may have to be returned. Budget discussions normally begin in May, but will begin in March this year. The authority delegated by the Board is for the County Administrator to fill positions as downsizing changes occur and tasks are consolidated. Discussion can be held for the highly visible jobs as well as all others.

Discussion: Discuss budget before layoffs; setting policy; open communication; hiring during budget discussions; staying within the budget; downsizing government; procedural issues; etc. [BC20110106DOC040](#)

Paperless Agendas

Ms. Whitmore spoke of going green and viewing her agenda on a thumb drive. She requested reference to page numbers during discussion so that she may view the item on her computer. [BC20110106DOC040](#)

Ted Nowosad

Ms. Whitmore commented on visiting Mr. Nowosad at Manatee Springs during the holidays. [BC20110106DOC040](#)

Coyotes

Mrs. Hayes noted coyotes have been sited in her east county neighborhood. John Haggerty with Century Management has reported coyote problems in Creekwood Preserve, and a meeting will be scheduled to discuss solutions. [BC20110106DOC040](#)

Board Policy

Mr. Chappie requested clarification on Board policy and how that should be reflected while representing the Commission in outside venues such as the Metropolitan Planning Organization (MPO), Peace River Manasota Regional Water Supply Authority, West Coast Inland Navigation District (WCIND), etc.

Discussion: MPO meeting where Mr. McClash requested Tara Bridge to be taken out of the Long Range Plan; may not have Federal or State funding; was unfunded; safety issue; policy decisions; County representation; etc.

Mr. McClash explained the Tara Bridge project was unfunded on the Long Range Transportation plan, and there was a question if a vote was needed to place the project in the funded category. A vote was needed and it did not make sense to leave the project in that position. The bigger policy question would be if the County wanted to deal with the Environmental Impact Statement to spend federal dollars. The bridge is designed and permitted and it would take millions of dollars to go through the federal process. The Board's policy has always been to use its own resources, and the only reason to leave the bridge in the Long Range Plan would be if federal dollars were used. The need for the bridge will be determined in the future when it can be funded in the CIP. The Board made a commitment to leave the bridge unfunded so there was no reason to leave it in the plan.

Discussion: Fund with impact fees; no individual decisions; Board supports Tara Bridge; acting on your own when appointed to a board; uphold Commission policy; do not give up unfunded position; community wants bridge; no County plans to spend federal dollars; would have to change transportation plan to place in funded category; etc. [BC20110106DOC040](#)

MEETING ADJOURNED

There being no further business the meeting was adjourned.

Adj: 11:26 a.m.
/mh

Minutes Approved: January 25, 2011