

JANUARY 25, 2011

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, at 9:00 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:

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

Invocation by Shirley Baucom, CareNet.

AGENDA

Agenda of January 25, 2011.

[BC20110125DOC001](#)

MANATEE HIGH SCHOOL KEY CLUB KEYOVER

John Vita and Kiwanis Club representatives recognized the Manatee High School Key Club, members of the business community and private sector, schools, and County staff for supporting the "Extreme Home Keyover" project. The Key Club renovated a home for a family in a needy area of the community.

Camden Mills, President of the Key Club, referred to a slide presentation depicting the before, during, and after stages, of the restoration project. **Mary Woodward**, Key Club Project Chairman, recognized all who helped with the project.

John Mann mentioned his letter to the editor recognizing the Key Club.

Motion was made by Mr. McClash, seconded by Mr. Chappie, and carried 7 to 0, to adopt the Proclamation for the Manatee High School Key Club recognizing their efforts. [BC20110125DOC002](#)

EMPLOYEE OF THE MONTH

Bill Hutchison, Public Safety Director, presented the Employee of the Month Award to **Kathy Peel**, EMS Captain. [BC20110125DOC003](#)

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 supplemental agenda). Items APPROVED:

CLERKS CONSENT CALENDAR

[BC20110125DOC004](#)

BONDS

Centre Park, Unit 1

Release Agreement Guaranteeing Completion of Required Sidewalks and Bikeways and Performance Bond (Cashier's Check 5059949 **and** 468645), \$9,438 (each Cashier's Check \$4,719). [BC20110125DOC005](#)

Columbus Landings

Release Agreement Guaranteeing Completion of Required Sidewalks and Bikeways and Performance Bond (Cashier's Check 172076), \$6,347.25. [BC20110125DOC006](#)

Flint Ranch

Accept Continuation Certificate for Bond 5009965 (Landspreading Permit 03MC15) with Blue Septic Tank Service, Inc., dba Blue Environmental **extending** the expiration date to February 24, 2012, \$50,000. [BC20110125DOC007](#)

Four Corners Mine and Altman Parcel 4

Accept Four Corners Reclamation Bond (Rider **increasing** Surety Bond KA2977 to \$21,196,271 from \$20,217,833).

Accept Altman Parcel 4 Reclamation Bond (Rider **increasing** Surety Bond 08941617 to \$5,020,610 from \$4,321,938). [BC20110125DOC008](#)

Lakeside Preserve

Release Agreement Warranting Required Improvements and Defect Security (Surety Bond K0733767A and associated rider[s]), \$6,481.36. [BC20110125DOC009](#)

Sheffield Glen

1. **Release** Agreement Guaranteeing Completion of Required Improvements and Temporary Construction Easement for Private Improvements, \$387,144.04.
2. **Accept** Agreement with GK Sheffield Glenn LLLP Guaranteeing Completion of Required Improvements and Temporary Construction Easement for Private Improvements - Common Area Landscaping and Amenity Area. This agreement will be for a **one-year extension** secured by a previously accepted Performance Bond (Surety Bond 1037813), \$134,108.06.
3. **Accept** Verification Certificate (Bond 1037813), \$387,144.04 (effective date 2/1/11).
4. **Accept** Verification Certificate (Bond 1037813), \$134,108.06 (effective date 1/19/11).
5. **Accept** General Purpose Rider (Bond 1037813) **reducing** the amount from \$387,144.04 to \$134,108.06.
6. **Release** Wetland Mitigation Agreement and Performance Bond (Surety Bond 1037812 and any associated rider[s] and/or Verification Certificates), \$35,652.42.

University Parkway and Lorraine Road

Release Agreement Warranting Required Improvements and Defect Security (Surety Bond 5025968, and associated rider[s]), \$150,723.75. [BC20110125DOC010](#)
[BC20110125DOC011](#)

REFUNDS

Medallion Home at Gamble Creek - Impact Fees	\$11,314.50
Clifton F. Monk - Impact Fees	\$613.01
Sarabay Associates LLLP/Legend's Bay - Impact Fees	\$11,927.50
Utilities Customer - 23564-26969 - Fee Waiver	\$892.01

WARRANT LIST

January 11, 2011 through January 24, 2011. [BC20110125DOC012](#)
[BC20110125DOC013](#)

MINUTES

January 4, 2011 (Council of Governments), January 4, 2011 (Joint), and January 6, 2011. [BC20110125DOC014](#)

ACCEPT

1. **City of Palmetto Notice of Annexation** - Pursuant to *Chapter 171 Florida Statutes, Ordinance 2010-20* annexing certain property (Manatee Fruit Company, Southern portion of 8th Avenue West, 273 feet south of 23rd Street West) into the City limits. [BC20110125DOC015](#)
2. **Housing Financing Authority of Manatee County, Florida** - Audited Financial Statements year ended September 30, 2010. [BC20110125DOC016](#)
3. **Insurance (Public Risk Management of Florida)** - Affidavit from Judith Hearn with copy of the Intergovernmental Cooperative Agreement, as amended and restated through January 1, 2011 (a Contract and By-laws for Public Risk Management of Florida for the Town of Longboat Key and Sarasota/Manatee Airport Authority), attached, pursuant to *Florida Statutes, Section 163.01*. [BC20110125DOC017](#)

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

1. **2010 Emergency Lift Station Generators Group 2** - Contract (Purchase Order P1100805) with Lovin Construction, Inc., \$488,120; Performance Bond; Payment Bond; and Certificate of Liability Insurance. [BC20110125DOC018](#)
2. **Bradenton CVB 2011 Official Visitors Guide** - Work Assignment 0035 with Miles Media Group, Inc., for Professional Publication/Website Services, \$283,967. [BC20110125DOC019](#)
3. **Pic Town Estates Waterline Replacement Project, Phase II** - Change Order 1 to Contract with Andrew Sitework LLC; increase of \$106,679.35, adjusted total \$699,632.93; and an additional 77 calendar days for a final completion date of February 13, 2011. [BC20110125DOC020](#)

COUNTY ADMINISTRATOR
EMERGENCY HOME ENERGY ASSISTANCE

1. Execution of Amendment 3 to the 2010-11 Emergency Home Energy Assistance Grant Program Agreement (EH-10/11-MAN) with West Central Florida Area Agency on Aging, Inc.; increase of \$29,670, adjusted total \$115,569, and replacing the Budget Summary; and
2. **Budget Amendment**
Community Services **B-11-028**
Supporting Description and Detail Attached [BC20110125DOC021](#)

TRANSIT GRANT – ELDERLY AND PERSONS WITH DISABILITIES

Execution of a 5310 Notification of Funding for FY 2010-11, acceptance of the Federal Transit Administration grant funds from the Florida Department of Transportation, and expenditure of grant funds pursuant to grant award, \$130,132 (Federal, \$104,105.60; State, \$13,013.20; Local, \$13,013.20). [BC20110125DOC022](#)

LOW INCOME POOL PROGRAM

1. Execution of Letter of Agreement with the Agency for Health Care Administration providing funds to **Manatee County Rural Health Services** to increase the provision of health care services for Medicaid, uninsured and underinsured persons, \$335,837 (7/1/10-6/30/11); and
2. Execution of FY 2010-11 Memorandum of Understanding with Manatee County Rural Health Services, Inc., for health care services in Manatee County (7/1/10-6/30/11).

MANATEE COUNTY HEALTH DEPARTMENT

Execution of FY 2010-11 contract with the Florida Department of Health for services to be provided at the Manatee County Health Department (10/1/10-9/30/11), \$19,422,142 (\$978,907 County contribution). [BC20110125DOC024](#)

CONVENTION AND VISITORS BUREAU

Approval of expenditures to host a welcome reception/dinner for the delegates of the **American Youth Football and Cheer National Convention** held January 6-10, 2011, \$2,000. [BC20110125DOC025](#)

BUDGET AMENDMENT

Various Departments **B-11-024**
Supporting Description and Detail Attached [BC20110125DOC026](#)

COURTHOUSE CHILLER PIPING

Authorization for the County Administrator or his designee to execute Change Order 2 to contract with B & I Contractors, Inc.; increase of \$25,728, adjusted total \$1,168,203, and an additional 30 calendar days for a revised completion date of March 16, 2011.

PIRATE CITY PROPERTY TAXES

Authorization to pay the City of Bradenton \$69,296.70 as return of County property taxes paid on Pirate City property (Pittsburgh Pirates Spring Training Complex). [BC20110125DOC027](#)

SUBURBAN WATERLINE REPLACEMENT – PHASE 1

Authorization for the County Administrator or his designee to execute Change Order 2 to P0101100 with Volt Telecom Group, Inc., adding 77 calendar days for a revised completion date of March 9, 2011. [BC20110125DOC029](#)

FRIENDS OF THE TRAILS

1. Acceptance of cash donation of \$1,750, a multimedia projector valued at \$321, and a speaker system valued at \$20, for a total of \$2,091, from Friends of the Trails to be used by the Natural Resources Department at one or more of the County-owned Preserves; and
2. **Budget Amendment**
Natural Resources **B-11-029**
Supporting Description and Detail Attached [BC20110125DOC030](#)

MARINE RESCUE HEADQUARTERS

1. Authorization for submission of an application to West Coast Inland Navigation District (WCIND) on behalf of the Manatee County Sheriff for construction of a dock, boat lifts, and installation of a security system at the Marine Rescue Headquarters; acceptance of said WCIND funds; and execution of a formal agreement with WCIND; and
2. **Budget Amendment**
Natural Resources **B-11-026**
Supporting Description and Detail Attached [BC20110125DOC031](#)

BENNETT PARK, PHASE 1

1. Authorization for the Parks and Recreation Department to acquire \$391,603 from the **Tree Trust Fund** for additional trees, mulch, and irrigation; and
2. **Budget Amendment**
Natural Resources **B-11-025**
Supporting Description and Detail Attached [BC20110125DOC032](#)

GERALDSON FARM

1. Authorization for the Florida West Coast Resource Conservation & Development to acquire \$13,170 from the **Tree Trust Fund** to provide additional trees and mulch; and
2. **Budget Amendment**
Natural Resources **B-11-027**
Supporting Description and Detail Attached [BC20110125DOC033](#)

CODE ENFORCEMENT - PHILIP J. GOLDMAN (CE2004080553)

Reduction of fines to a total of \$1,650 (recommended by the Special Magistrate on 11/24/10), subject to the following conditions: (1) the reduced fines shall be paid within 30 days or will revert to the original fine amount of \$16,500; (2) \$30 in recording fees need to be collected; and (3) authorization for Neighborhood Services Department Director to sign satisfactions of liens if the reduced fines are paid. [BC20110125DOC034](#)

ECONOMIC DEVELOPMENT INCENTIVE GRANTS

1. **R-11-023** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY FINDING THAT **PROJECT JUPITER** BE APPROVED FOR A CUSTOMIZED ECONOMIC DEVELOPMENT INCENTIVE (EDI) GRANT FOR FISCAL YEARS 2011-2012 THROUGH 2013-2014, AND PROVIDING FOR AN EFFECTIVE DATE. [BC20110125DOC035](#)
2. **R-11-024** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY FINDING THAT **PROJECT WIRE** BE APPROVED FOR AN ECONOMIC DEVELOPMENT INCENTIVE (EDI) GRANT FOR FISCAL YEARS 2011-2012 THROUGH 2015-2016, AND PROVIDING FOR AN EFFECTIVE DATE. [BC20110125DOC036](#)

RICHLAND FARMS SUBDIVISION

R-11-018-V A RESOLUTION DECLARING A PUBLIC HEARING ON MARCH 15, 2011, AT 9:00 A.M., OR AS SOON THEREAFTER AS POSSIBLE, ON APPLICATION BY MARK CAHILL INVESTMENTS, STEVE P. JORGENSEN, AND BARRY W. GREER TO VACATE CERTAIN UNIMPROVED RIGHTS-OF-WAY IN **RICHLAND FARMS SUBDIVISION**. [BC20110125DOC037](#)

PALMA SOLA WATER MAIN PROJECT

R-11-015 RELEASE, ABANDONMENT, AND RELINQUISHMENT OF UTILITY EASEMENTS (20 parcels on Palma Sola Boulevard: William J. Potter; Phil and Kim Wasson; Stephen W. Gitt; Ziba and Mary Jane Ogden; Mildred E. Mitchell; Paul J. and Sandra R. Spenner; Anthony J. and Carol P. Bartirome; Karen K. Van Ness; L. K. and Viola H. Purvis; Hermine F. Holt; Sara R. Sheats; Haskell J. and Wilma J. Hall; Etoile B. Cobb; Patricia D. Muller; Jack M. and Selma E. Zislis; Tri and Thuy Nguyen; North American Investment Corporation; Frances H. Smith; Edward R. and Grace E. Hey; and Donald F. Swanson). [BC20110125DOC038](#)

DEEDS AND EASEMENTS

1. **El Conquistador Parkway** – Two Flowage Easements from Manatee Fruit Company.
[BC20110125DOC039](#)
2. **63rd Avenue West/14th Street West** – Warranty Deed, Right-of-Way Easement, Pedestrian Sidewalk Easement, and Affidavit of Ownership and Encumbrances from The Marvin and Joan Cooper Family Limited Partnership.
[BC20110125DOC040](#)
3. **Suburban System Waterlines II** (5624 14th Street West) – Utility Easement and Affidavit of Ownership and Encumbrances from Try Mor LLC; and Joinder from General Electric Capital Corporation.
[BC20110125DOC041](#)
4. **Whitfield Avenue/Prospect Road** – Warranty Deed and Affidavit of Ownership and Encumbrances from University Parkway Christian Church, Inc.; and Partial Release from Whitney National Bank.
[BC20110125DOC042](#)
5. **Exploratory Well U.S. 41 North** - Temporary Construction Easement from HRK Holdings LLC.
[BC20110125DOC043](#)

WARES CREEK STORMWATER IMPROVEMENT PROJECT

1. Contract for Sale and Purchase for an Access and Maintenance Easement with Traci Lynn Roark, Brian R. Shultis, and Brad E. Shultis, \$4,650; and authorization to issue three checks for \$1,550 each (Parcel E-119.2).
[BC20110125DOC044](#)
2. Quit Claim Deed, Affidavit of Ownership and Encumbrances, and Certificates of Title (2) from Ilene Thelma Krueger and Chad Krueger (Parcel E122).
[BC20110125DOC045](#)
3. Authorization for payment of Down Payment Supplement to tenants, Matthew Todd and Lora Lynn Flowers, associated with the mobile home purchase from Nancy Venit, \$12,852; authorization for the check to be payable to Mobile Home Sales by Jennifer; and acceptance of Release and Right of Entry Agreement for Asbestos Survey with Matthew Todd and Lora Lynn Flowers (Parcel E122.004T).
[BC20110125DOC046](#)
4. Permanent Access and Maintenance Easement for Clearing and Snagging of Wares Creek and Affidavit of Ownership and Encumbrances from Janice M. Linderman, fka Janice M. Love; and Quit Claim Deed from tenant Todd G. Vandecar (Parcel E134.2).
[BC20110125DOC047](#)
5. Warranty Deed, Affidavit of Ownership and Encumbrances, and Affidavit of Non-Homestead Status from Li Jie Chen and Ren Ci Chen (Parcel W278).
[BC20110125DOC048](#)
6. Warranty Deed and Affidavit of Ownership and Encumbrances from Cedar Hammock Fire Control District; and execution of Access Easement to Cedar Hammock Fire Control District for access over the creek (Parcel W282).
[BC20110125DOC049](#)

BRA-WIN PALMS CANAL DREDGING

Authorization to set a second public hearing on February 22, 2011, at 9:00 a.m., or as soon thereafter as possible, for Assessment Project 5101500.
[BC20110125DOC050](#)

SURPLUS PROPERTY

1. Authorization to classify property which is uneconomical to upgrade or repair as surplus per *Florida Statute 274.05* to enable appropriate and authorized disposition of said property, and authorization thereafter to dispose of such property; and
2. RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, CLASSIFYING CERTAIN TANGIBLE PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING THE DONATION THEREOF PURSUANT TO *SECTION 274.05, FLORIDA STATUTE*:
R-11-003 – Computer equipment to **Victorious Life Christian Center**;
R-11-013 – Computer equipment to **Light To The World Ministries, Inc.**; and
R-11-016 – Camera equipment to **Manatee Educational Television Consortium**.

BAD DEBT WRITE-OFF

Authorization to write off bad debts of \$157,886.82 (Water/Sewer Fund 401) and \$50,827.78 (Solid Waste Fund 480) for January 2011.
[BC20110125DOC051](#)
[BC20110125DOC052](#)

SERVICE FEE WAIVER

Authorization to waive service fees of \$2,210.38 assessed to various utility customer accounts for returned bank items.
[BC20110125DOC053](#)

WATER SUPPLY PROJECTIONS

Execution and transmittal of letter to the Peace River/Manasota Regional Water Supply Authority with revised water supply demands and supply needs from sources developed by the Authority beginning in the year 2030. [BC20110125DOC054](#)

DASHBOARD REPORT

Acceptance of the Monthly Dashboard Report for December 2010. [BC20110125DOC055](#)

RESPONSES TO BOARD INQUIRIES

Acceptance of memoranda from County Departments in response to directions/inquiries by the Board:

1. **Financial Management** – Gas Tax Proceeds;
2. **Community Services** – Marchman Act Services;
3. **Public Works:**
 - a. Fort Hamer Bridge/Bicycle Lanes (12/14/10); and
 - b. 53rd Avenue West/75th Street West Roundabout (12/14/10). [BC20110125DOC056](#)

(End Consent Agenda)

CITIZENS' COMMENTS

Fort Hamer Road/Bridge

Jay King discussed the need to upgrade Fort Hamer Road to address safety concerns, and referred to photographs depicting unsafe conditions. The Fort Hamer Park rowing facility will create increased traffic. He suggested twelve-foot travel lanes and bike lanes.

Tom Davidson submitted a resolution of the Waterlefe Master Property Owners' Association (presented 7/27/10) opposing the Fort Hamer Bridge. The Rye Road Bridge is over non-navigable water, which should serve the purpose.

Ken Bumgarner, Chairperson of Waterlefe Community Development District Board, stated residents wish to work with the County to minimize the impact on Waterlefe. A list of recommendations was submitted in November 2010, to County staff.

Tom Roberts voiced concern regarding road conditions from Upper Manatee River Road to the bridge. He stressed the need for improvements, including bike lanes.

David Payne questioned the number of projected vehicles using the bridge and the cost.

Tedd Williams, County Attorney, advised that if the County becomes aware of a dangerous condition, it has a duty to either warn of the existence of the condition, or take steps to eliminate the condition.

Ed Hunzeker, County Administrator, stated a discussion regarding the Fort Hamer Bridge is scheduled for February 8, 2011. Public Works Department has not advised of any concerns; however, concerns raised this date will be submitted to staff.

Discussion: The road cannot be funded with impact fees; bike lanes; bridge and road are separate issues; set a policy on how roads are built and funded; opportunities to shift impact fee dollars; address residents' safety issues; every project must be tied to the budget; etc.

William Clague, Deputy County Attorney, stated impact fee dollars cannot be used to widen the lanes on the approaches; however, impact fees could be used for intersection improvements, which create capacity. [BC20110125DOC057](#)

Legislative Meeting

Amy Anderson, representing the School District, invited all to attend the 2011 Legislative Town Hall Meetings to be held at Bayshore High School Auditorium on January 27, 2011, and at Palmetto High School on February 10, 2011. [BC20110125DOC058](#)

Valkyries Flying Club

James Allen, Valkyries Flying Club, stated the Club has been in existence for 40 years and lost its field three years ago. Parks and Recreation and Property Management Departments found a site for the Club; however, no lease could be negotiated due to scrub jays. The Club is seeking assistance from the County in finding another site.

Discussion: Manatee Radio Controllers use an 81-acre site at the Palmetto landfill and has extended an offer to the Club to join them; staff has worked on this issue for years; consider landfill site, wastewater plants, or school areas; partner with schools; etc. [BC20110125DOC059](#)

COMMUNITY REDEVELOPMENT AGENCY ADVISORY BOARDS

Mrs. DiSabatino noted the last meeting of the South County Community Redevelopment Agency (CRA) Advisory Board was held at the Norma Lloyd Dream Center. The January 27, 2011, meeting of the 14th Street CRA will be held at the Renaissance Center. [BC20110125DOC060](#)

STREET VACATION - TROPICANA MANUFACTURING, INC.

Public hearing (No Notice provided, and continued from 11/9/10), was continued pursuant to a request by the counsel for Tropicana Manufacturing Company, Inc.

Motion was made by Mrs. Hayes, seconded by Mrs. DiSabatino, and carried 7 to 0, to continue the public hearing for Resolution R-10-101 on application by Tropicana Manufacturing, Inc., to vacate certain public rights-of-way on 12th Street Court East and 13th Avenue East to March 29, 2011, at 9:00 a.m., or as soon thereafter as may be heard. [BC20110125DOC061](#)

ECONOMIC DEVELOPMENT INCENTIVES PROGRAM

Karen Stewart, Economic Development Manager, referred to a slide presentation and graphics to report on the Economic Development Incentives (EDI) Programs while recognizing the team members involved with economic development.

Eric Basinger, Economic Development Council, noted 30 companies have received approval for incentives.

Ms. Stewart and Mr. Basinger continued with the slide presentation and noted: over 2,800 jobs have been created; incentives total over \$3.5 million (including \$359,000-Qualified Targeted industry Program, \$2,829,920-EDI Grants, and \$312,907-Transportation Impact Fee incentives); the average wage is \$48,278 or 43 percent over the average Manatee County wage; \$595,750,520 in wages; the targeted industry sectors; a profile of Pierce Manufacturing and IT Works Global, Inc. (two of the 30 targeted sectors); and return on investment (taxes, economic impact, and jobs).

Discussion: Outreach Program confidentiality; incentives are working and are recognized in the community; trickle down effect; recent Canadian mission was successful; States identified for research; the quality of life will continue to draw people to the area; intangible benefit to the County; consider public/private partnership with realtors; provide quarterly reports; etc. [BC20110125DOC062](#)

IMPACT FEES

The County Administrator discussed the proposal to continue the reduced transportation and education impact fees for two years (through 2013). The current reduction has resulted in more business and construction activity than surrounding counties.

Ms. Whitmore submitted a *Bradenton Herald* article "Lower Impact Fees Could Continue" and a letter (1/21/11) from **ManaSota-88** in opposition. Mr. McClash submitted a packet of concerns and information for discussion.

Discussion: Operating funds governed by State Statute; types of impact fees and identified uses; declining property values and tax revenues; four impact fee zones; lower fees would allow for a less expensive product which would be in competition with existing housing stock; tiered impact fees to create business and job growth; etc.

Mr. Gallen submitted "Roadmap to Florida's Future," a study by Enterprise Florida, and "Impact Fee Reductions and Development Activity: A Quantitative Analysis of Florida Counties," a study by Duncan Associates.

Discussion: Need additional information; report on how this will affect the Capital Improvements Program (CIP); update the Impact Fee Study (2006); Board commitment to keep Impact Fee Study and Summary current; current impact fees are based on a consumption method; impact fees to discourage sprawl; County never charged the full recommended impact fees; delay in building roads will increase the cost as inflation occurs; Long Range Transportation Plan was approved and will now be reduced; reduced impact fees stimulates the economy; impact fees are only to pay for new growth; other counties are voting to reduce impact fees; work session needed to discuss updates to the Land Development Code; etc.

Mr. McClash recommended: (1) expediting the completion of the Impact Fee Study; and (2) the Board consider bonding ten years of road projects and adding the appropriate impact fees or gas taxes in the future.

James Kaiser, Federation of Manatee County Community Associations, supported new growth paying for itself. He questioned whether the cost of housing is less due to lower impact fees. He suggested impact fees return to the previous amounts.

Ernest Marshall objected to the two-year extension of reduced impact fees, particularly without completion of the Impact Fee Study.

Discussion: Study is in process; currently collecting impact fees; etc.

Al Robinson submitted a summary sheet of costs incurred for a current renovation project and voiced support for the reduction of fees to stimulate business.

Recess/Reconvene. All members present.

Motion

Motion was made by Mr. Bustle to authorize the County Attorney's office to draft ordinances that would extend the current County and education impact fees (which currently have adjustments that expire on July 26, 2011) for an additional two-year time period through July 26, 2013, and advertise those ordinances for public hearings. The motion was seconded by Mrs. Hayes.

Motion - Amendment

Mr. McClash moved to amend the motion to extend the current impact fees for one year to allow for the Impact Fee Study to be brought before the Board before the decision is made to extend it for the second year. The motion was seconded by Mr. Gallen.

Discussion: Method works and has made a difference; Dr. Fishkind remarks; consider review of the issue in one year; etc.

William Clague, Deputy County Attorney, stated an update of the existing 2006 Impact Fee Study will be presented when the ordinances are considered.

Discussion: Comprehensive Plan update; Sarasota County is considering reducing impact fees; information in previous impact fee study was gathered before the economic downturn; no County road will be reduced to a Level of Service F as a result of this action; etc.

The motion to amend **failed** 2 to 5, with Mr. Bustle, Mr. Chappie, Mrs. DiSabatino, Mrs. Hayes, and Ms. Whitmore voting nay.

Motion - Carried

The original motion carried 5 to 2, with Mr. Gallen and Mr. McClash voting nay.

Discussion: Staff to update the Impact Fee Summary with the assistance of the Clerk of the Circuit Court; Board requested the report be updated annually; etc. [BC20110125DOC063](#)

COUNTY ADMINISTRATOR ANNUAL REPORT

Mr. Hunzeker displayed photographs illustrating the daily work of Manatee County employees while presenting the Annual Report and goals for the coming year. The budget was reduced by \$26.1 million, bringing the four-year total reduction to more than \$122 million, or a 22 percent reduction since 2007. Through workforce reductions and early retirements, hundreds of years of institutional knowledge have been lost. He recognized State-wide honors and professional distinctions for staff members, as well as Department achievements, and the Green Team. The spirit of teamwork was recognized with the 15 departments consistently working in tandem on major projects, with the most recent example being the Fort Hamer Park Rowing Facility. [BC20110125DOC064](#)

GAVEL PLAQUE AWARDS

Gavel plaque awards were presented to Commissioners serving as Chairmen of various boards during 2010: **Mrs. Hayes**, Board of County Commissioners; **Ms. Whitmore**, Civic Center Authority; **Mr. McClash**, Tourist Development Council; **Mr. Bustle**, Port Authority; and **Mr. Chappie**, Community Redevelopment Agency. [BC20110125DOC065](#)

IMPACT FEES/BONDS

Mr. McClash requested the Board consider a bond instrument to lock in the current low cost of road construction in order to create jobs.

Motion was made by Mr. McClash, seconded by Mrs. DiSabatino, and carried 7 to 0, to agenda this item at a work session to include a presentation of options. [BC20110125DOC066](#)

METROPOLITAN PLANNING ORGANIZATION - LONG RANGE TRANSPORTATION PLAN

Motion was made by Mr. Bustle to send a letter to the Metropolitan Planning Organization (MPO) that expresses the will of this body to retain the Tara Bridge in the Long Range Transportation Plan. The motion was seconded by Mrs. Hayes.

Discussion: Long Range Transportation Plan may be restructured; requirements of Federal versus State funding; funds required for EIS (Environmental Impact Study); Tara Bridge was an unfunded project, but was a place holder for future funding; would provide another north/south route to Sarasota County; review transportation issues at a work session; bridge is a safety issue; etc.

Substitute Motion

Mr. McClash made a substitute motion to maintain removal of the Tara Bridge from the Long Range Transportation Plan to reflect the majority opinion of this Board. There being no second, the motion **died**.

Tedd Williams, County Attorney, suggested the motion be changed to read "...to inform the MPO that in 1989, the Board voted to have the Tara Bridge on the Long Range Transportation Plan, and the Board has not voted to change the status of the Tara Bridge."

Following additional discussion, the motion carried 6 to 1, with Mr. McClash voting nay.

Motion was made by Mr. McClash to prepare an agenda item for the Tara Bridge to inform the Board of the status and to determine whether the Board wants to do anything further. There being no second, the motion **died**. [BC20110125DOC067](#)

COMMISSIONERS' COMMENTS

Conservation Easements

Mr. McClash discussed approval of developments and conditions for conservation easements that are granted to the State, and noted the County should also have the right to conservation easements around wetlands and buffers; therefore, both parties should accept the conservation easements. He suggested a work session to review this issue. [BC20110125DOC068](#)

Impact Fee Study

Mr. McClash requested clarification of the status of an updated Impact Fee Study.

Mr. Hunzeker explained the current methodology is being updated by the County's consultant, and the "How Will We Grow" exercise must be completed, which will determine what roads would be included.

Discussion: Study should be completed before the Board votes on the Ordinances (discussed earlier in the meeting); discuss the planning study for impact fees versus the consumption study; concern of urban blight; redevelopment of urban core is encouraged; etc. [BC20110125DOC068](#)

Design and Economic Acceleration Lab

Mr. McClash recalled a similar initiative associated with Sarasota-Bradenton International Airport becoming a business incubator to include the surrounding university area. He voiced concern with the Design and Economic Acceleration Lab (DEAL) proposal and requested a presentation.

Discussion: DEAL is a private enterprise and involves no County funds; the Board must consider the entire County, including the urban core; look for incentives to revive the historical Palmetto and Bradenton urban core; etc. [BC20110125DOC068](#)

Town Hall Meeting

Mrs. DiSabatino commented on the success of the town hall meeting sponsored by U.S. Representative Vern Buchanan on January 22, 2011. Topics included health care, taxes, and the budget. [BC20110125DOC068](#)

District 4 Homeowners' Associations

Mrs. DiSabatino noted Mr. Huzeker and John Barnott, Building Department Director, will discuss County issues on April 14, 2011, at a meeting at the Bayshore Recreation Center. Several District 4 Homeowners' Associations have been invited to attend. [BC20110125DOC068](#)

Whitfield Tour of Homes

Mrs. DiSabatino noted the Tour of Homes in Whitfield will take place the last Sunday in February. A proclamation will be presented to Norm Luppino to promote this event and showcase the neighborhood. [BC20110125DOC068](#)

Crosley Carriage House

Mrs. DiSabatino commented on the ribbon cutting for the Crosley Carriage House on January 21, 2011. [BC20110125DOC068](#)

Safety Issues

Mrs. DiSabatino acknowledged the prompt response from staff to residents with respect to solving safety and roadway issues. [BC20110125DOC068](#)

Pride Park

Mrs. DiSabatino recognized efforts by the Parks and Recreation Department to fabricate new grates for the drainage areas in Pride Park, as the spacing in the original grates was unsafe. [BC20110125DOC068](#)

Wednesday School Schedule

Mrs. DiSabatino discussed a meeting with School Board staff regarding students being out of school on Wednesday afternoons. A survey of all parents will take place in the near future. If over 50 percent of the parents indicate they do not want the Wednesday afternoon out-of-school hours, the School Board will change the schedule.

Discussion: Children get into mischief when not occupied; community schools; public/private partnerships; review former interlocal agreement with School Board; topic for Council of Governments; teachers have expressed opposition to this schedule; etc. [BC20110125DOC068](#)

Lighting at Harlee Middle School

Mrs. DiSabatino requested an update as to the status of the lights removed from the Palmetto ball fields, which may be used at Harlee Middle School. [BC20110125DOC068](#)

Port Manatee Concession

Mr. Bustle noted **Yuval Cohen**, ARUP, Port Concession Advisor, has agreed to provide Board members with individual briefings.

Discussion: Report/study near finalization; findings to be shared with the Port Authority; requests to attend a roundtable meeting; etc.
(Note: Additional discussion later in the meeting) [BC20110125DOC068](#)

County Buildings

Mr. Bustle stated he toured County buildings in the downtown area. He suggested an agenda item or work session to include a briefing by Charlie Bishop, Property Management Director, regarding the status and estimate of required maintenance/renovation of all County buildings.

Discussion: Commissioners schedule individual tours; meet regarding issues such as records storage and funding; presentation during the CIP; report to Board members with concerns and renovations; etc. [BC20110125DOC068](#)

Sports Liaison

Ms. Whitmore suggested that Mr. Chappie continue to be the liaison for sports marketing, such as soccer fields being constructed in Lakewood Ranch. [BC20110125DOC068](#)

Community Events

Ms. Whitmore recognized and thanked commissioners who actively participated in recent public events and helped with various community organizations. [BC20110125DOC068](#)

75th Street/53rd Avenue West

Ms. Whitmore noted the improvements at the roundabout at 75th Street and 53rd Avenue West and acknowledged the new signage by Transportation. [BC20110125DOC068](#)

Pill Mill Ordinance

Ms. Whitmore submitted an article from the *NACo Journal* recognizing the County Pill Mill Ordinance. She requested more local news coverage. [BC20110125DOC068](#)

Economic Forecast

Ms. Whitmore reviewed and submitted highlights of predictions by economist, Dr. Henry Fishkind, during the 2011 Economic Forecast Breakfast (1/20/11). [BC20110125DOC068](#)

Village Green Homeowners' Association

Mr. Chappie noted he spoke at the Village Green Homeowners' Association meeting (1/22/11) along with Mayor Wayne Poston and Councilman Gene Gallo, from the City of Bradenton. He relayed concerns regarding the 75th Street West improvements (landscaping and irrigation), and the left-turn signalization at the intersection of Village Green Parkway and Manatee Avenue. He requested a warrant study. [BC20110125DOC068](#)

Perico Island Homeowners' Association

Mr. Chappie noted a speaking engagement this date at the Perico Island meeting. The meeting will include a presentation regarding the Neal Preserve. [BC20110125DOC068](#)

Fort Hamer Park Rowing Facility

Mr. Chappie commented on the ribbon cutting ceremony (1/25/11). He suggested photographs of each school's rowing team (including the date) be displayed inside the rowing facility to show the history and progression of events.

Discussion: Building designed to include construction of a second floor; cost approximately \$350,000 for flooring, classrooms, and fitness center; an opportunity for private/public partnerships; installation of first aid equipment; etc. [BC20110125DOC068](#)

Leadership Academy Graduation

Mr. Chappie commented on the Leadership Academy graduation. He recognized the number of graduates and applauded the program. [BC20110125DOC068](#)

Cortez Area Neighborhood Meeting

Mr. Chappie stated a neighborhood meeting is being scheduled in the Cortez area to discuss public safety issues. Details will be forthcoming. [BC20110125DOC068](#)

Tara Bridge

Mr. Gallen noted his apprehension regarding the Tara Bridge issue was due to the feelings of many residents and voters who voiced opposition. [BC20110125DOC068](#)

Neighborhood Safety

Mr. Gallen noted the tragic loss of teenagers by vehicles. Teachers have noted Insufficient lighting at Lakewood Ranch Boulevard and S.R. 70 and voiced safety concerns, especially in the early morning hours.

Discussion: Hit and run accident at Prospect Road and Tuttle Avenue killed one student and injured another; students were walking in the bike lane; etc. [BC20110125DOC068](#)

After School Mentoring Programs

Mr. Gallen discussed the shootings on Martin Luther King Day in the Pride Park area. Several faith-based groups are willing to conduct after school mentoring programs. He suggested exploring this opportunity. [BC20110215DOC068](#)

Apollo Lake/Washington Park

Mr. Gallen is considering forming a community advisory board due to concerns expressed by residents in the Apollo Lake/Washington Park Association. [BC20110125DOC068](#)

Park

Mr. Gallen discussed utilizing 88 acres of land near Tillman Elementary School and Apollo Lake for a community park. There had been discussion of declaring the property as a Brownfield area. He suggested a private/public partnership to develop a park. [BC20110125DOC068](#)

Lincoln Park Fence

Mr. Gallen noted residents walk from WalMart through Lincoln Park to 17th Street. Construction of a fence would create foot traffic on U.S. 41 or another route.

Discussion: Opening in the fence on south side of the Park; the tunnel from Lincoln Middle School to the Park is blocked for security reasons; etc. [BC20110125DOC068](#)

Lincoln Memorial High School – Historical Marker

Mr. Gallen noted efforts have begun for a Historical Marker at Lincoln Park to recognize Lincoln Memorial High School. The Lincoln High Alumni Association is working on verbiage and will be holding fundraisers. [BC20110125DOC068](#)

Lake Erie College of Osteopathic Medicine

Mrs. Hayes commented on an event (1/21/11) at the Lake Erie College of Osteopathic Medicine (LECOM). LECOM announced a capital program of \$52 million, as well as 58 new jobs. [BC20110215DOC068](#)

Lakewood Ranch Transit

Mrs. Hayes stated a grant was awarded to provide transit service to Lakewood Ranch, which will aid college students, as well as the medical community. [BC20110125DOC068](#)

Advisory Committee Meeting

Mrs. Hayes announced that Brenda Rogers, Community Services Director, will speak about the Green Team at her Advisory Committee meeting (1/28/11). [BC20110125DOC068](#)

Swimming Lessons

Mrs. Hayes suggested providing free bus passes for children north of the Manatee River to attend swimming lessons at G. T. Bray Park, until a pool can be constructed. [BC20110125DOC068](#)

S.R. 70/Tara Boulevard

Mrs. Hayes requested the status of the red light camera installation at S.R. 70 and Tara Boulevard. [BC20110125DOC068](#)

LAWSUIT – PEEK-A-BOO LOUNGE

Tedd Williams, County Attorney, reported that the United States Circuit Court awarded a favorable judgment to the County, without conditions, regarding the Peek-A-Boo Lounge lawsuit. He recognized the efforts of staff, as well as outside counsel. [BC20110125DOC069](#)

PORT MANATEE CONCESSION

Mr. Hunzeker reported that the ARUP staff has not met with County staff or the Clerk of the Circuit Court with regard to the Port study. [BC20110125DOC070](#)

IMPACT FEE COMPARISON

Mr. Hunzeker noted during the 2011 Economic Forecast Breakfast (1/20/11), Dr. Fishkind referenced a McDonald's in Collier County that paid \$600,000 in impact fees. Manatee County had a Burger King franchise with total impact fees of \$26,436, with the fifty percent reduction. [BC20110125DOC070](#)

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Adj: 4:00 p.m.
vj/mh/njh

Minutes Approved: February 22, 2011