

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
BRADENTON AREA CONVENTION CENTER, LONGBOAT KEY ROOM  
One Haben Boulevard  
Palmetto, Florida  
January 12, 2021**

Meeting video link: <https://www.youtube.com/channel/UCUlgjuGhS-qV966RU2Z7AtA>

Present were:

Vanessa Baugh, Chairman  
George Kruse, First Vice-Chairman  
Kevin Van Ostenbridge, Second Vice-Chairman, entered during the meeting  
Reggie Bellamy, Third Vice-Chairman  
Misty Servia  
James A. Satcher III  
Carol Whitmore

Also present were:

Cheri Coryea, County Administrator  
William Clague, Chief Assistant County Attorney  
Robin Toth, Deputy Clerk, Clerk of the Circuit Court



Chairman Baugh called the meeting to order at 9:02 a.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

1.  The Invocation was delivered by Reverend Brock Patterson, Longboat Island Chapel, followed by the Pledge of Allegiance.

**PUBLIC SAFETY/UPDATE/COVID-19 VACCINE**

 Jacob Saur, Public Safety Director, announced that Manatee County received 1,000 doses of the Moderna Vaccine last night (1/11/21). Vaccination appointments would be scheduled for those registered in the vaccine pool. Those who could not make their scheduled appointment would be put back into the vaccine waiting pool. A social media campaign and press release would be done.

There being no public comment, Chairman Baugh closed public comment.

**REVISED AGENDA**

BC20210112DOC001

Time Certain

2. Item 47, 11:00 a.m. – Update on CARES Act Strategies; On-going Update Concerning the Coronavirus Local Strategies Involved with Testing, Local Data and Statistics, as well as Vaccine Distribution; and, Extension of the Local State of Emergency
49. Item 48, 2:00 p.m. – Board of County Commissioners 2021 and Beyond Goal Setting

**CONSENT AGENDA – COMMISSIONER REQUESTS**

Item 20 – Pulled by Commissioner Whitmore  
Item 29 – Pulled by Commissioner Whitmore

(Enter Commissioner Van Ostenbridge)

**AWARDS/PRESENTATIONS**

3.  January Employee of the Month - Renee Medina, Senior Veterans Counselor, Neighborhood Services Department

BC20210112DOC002

4.  Recognition of the 2020 individual and organizational Award from the Florida Public Transportation Association (FPTA) were presented by William Steele, Transit Division Manager, Mike Ruth, Senior Fleet Maintenance Tech, Norman Hagel, Fleet Operations Chief, and Chad Butzow, Public Works Director BC20210112DOC003
5.  Invitation from the Fair Manager and Members of the Board of Directors to Attend the 2021 Manatee County Fair, January 14-24, 2021 – Dan Alfonso, Fair Manager, highlighted exhibits, events and entertainment scheduled for this year’s fair, as well as safety protocols put in place for COVID. He also announced a parade would be held on Tuesday, January 19, to honor area veterans. BC20210112DOC004
7. School Choice Week in Manatee County – January 24-30, 2021 BC20210112DOC005
50. **AGENDA UPDATE MEMORANDUM** BC20210112DOC006
- Item 8 – Citizen Comments (Consideration for Future Agenda Items) – A written comment submitted through the online public comment form was added to this agenda item
  - Item 10 – Approval of the Clerk’s Consent Agenda dated January 12, 2021 – The Clerk’s Consent Agenda was revised and replaced to include Resolution R-21-011, which authorizes the Chairman and First Vice-Chairman to sign checks (This item was updated with the Revised Agenda published on Friday, 1/8/21)
  - Item 11 – County Attorney request for reimbursement of attorney’s fees incurred in successfully defending Bar Complaint – Written comments submitted through the online public comment form were added to this agenda item
  - Item 19 – Adoption of FY 21 Budget Amendment Resolution B-21-034 – The Resolution was updated and replaced to amend Item 4 to reduce the carryforward from \$375,000 to \$275,000 from reserves in the Southwest TIF, with the exact alignment of the Sandpiper Place Utility Reimbursement agreement
  - Item 48 – 2:00 p.m. Time Certain – Board of County Commissioners 2021 and Beyond Goal Setting – Discussion between all Board of County Commissioners as open dialogue in consideration of goals, concepts, and philosophical direction for 2021 and beyond (This item was added with the Revised Agenda published on Friday, 1/8/21)

**PROCLAMATION**

A motion was made by Commissioner Servia, seconded by Commissioner Bellamy and carried 7-0, to adopt the following Proclamation:

6. Arbor Day – January 15, 2021, was accepted by Alyssa Vinson, Residential Horticulture Agent BC20210112DOC007

8. **CITIZEN COMMENTS** (Future Agenda Items)

Robert Tarnay questioned posts on Commissioner’s Facebook pages, commented about the words and actions by Commissioners Kruse and Van Ostenbridge, and the acquisition of the Lena Road property.

David Woodhouse submitted comments and requested the Board of Health study of the cancer cluster at Bayshore High School be placed on a future agenda. The assessment failed to identify the migration of dangerous chemicals.

Sherman Baldwin, Paradise Boat Tours, submitted comments on action taken at the December 15 Board meeting for a policy to be developed regarding the fueling of boats at the bulkhead at Longboat Key Pass.

Commissioner Whitmore stated the fueling must be opened up to everyone. This location is governed by the city of Bradenton Beach and they have jurisdiction.

Monica Joiner spoke about a noise problem with vacation rentals in her neighborhood and asked the Board to review the current noise ordinance. She requested the Board review the hours, fines/penalties, and the agencies that respond to noise complaints, and that this be placed on a future agenda.

Commissioner Whitmore asked staff to look at the decibel levels in residential areas.

Michael Hofer, resident of Millcreek, commented on the noise ordinance and suggested the Board look at the noise and short-term rental ordinances in Miami-Dade County.

Mark Eggers voiced concern about a house in his neighborhood that was converted into a social gathering/party house. He questioned if a commercial venue could operate in a residential neighborhood.

Kathleen Puckett spoke about a party house in her Mill Creek neighborhood. She stated this type of use does not belong in a residential neighborhood and questioned why the noise ordinance and zoning laws are not being enforced.

Andra Griffin commented about not changing businesses and regulations.

**RECESS/RECONVENE:** 10:17 a.m. - 10:32 a.m. All Commissioners were present.

By telephone, Carolyn Felts spoke about the public comment portion of meetings (document previously submitted to the Board 1/7/21), Board procedures, inadequacy of the County's website, and concern about the recent lack of adherence to Sunshine Law.

By telephone, Glen Gibellina requested a work session to discuss a zoning moratorium. He also commented on the need to increase the density for affordable housing projects.



There being no further citizen comments, Chairman Baugh closed Citizen Comments.

Commissioner Van Ostenbridge stated he would request a meeting with Mr. Barnott, the County Administrator and the County Attorney. He spoke to citizens who spoke and admired that they came to speak about this noise issue.

Commissioner Whitmore addressed Mr. Gibellina's comments regarding a zoning moratorium and solar panels.



Corey Holmes spoke about discussion at the January 7 meeting regarding Commissioner assignments and asked that Commissioner Satcher be assigned to the Public Safety Coordinating Council (PSCC).

Rodney Jones echoed comments by Corey Holmes and also asked that Commissioner Satcher be assigned to the PSCC.

There was discussion on limits on the timeframe for public comment, the noise ordinance, property rights, penalties of the noise ordinance should go to the property owners and not the renters, specific reasons are necessary to enact a zoning moratorium, etc.

There being no further citizen comments, Chairman Baugh closed citizen comments.

BC20210112DOC008

**CONSENT AGENDA**

9. **Citizen Comments** (Consent Agenda Items Only)

 Andra Griffin spoke in opposition to Item 11.

 By telephone, Mr. Gibellina spoke in opposition to Item 11 and referred to an email he sent to Commissioners.

By telephone, Carolyn Felts spoke in opposition to Item 11.

There being no further citizen comments, Chairman Baugh closed Citizen Comments.

Commissioner Kruse stated he had no problem in approving Item 11 and suggested proceeding with the business of the day.

Commissioner Servia suggested Item 11 be pulled from the Consent Agenda in view of public comment.

Commissioner Whitmore further commented on the settlement negotiations with former Commissioner DiSabatino.

Commissioner Satcher read portions of a newspaper article (5/22/16) regarding the lawsuit involving former County Commissioner Robin DiSabatino.

BC20210112DOC008A

There being no further citizen comments, Chairman Baugh closed Citizen Comments.

BC20210112DOC009

43. **CONSENT AGENDA MOTION**

 A motion was made by Commissioner Servia, seconded by Commissioner Whitmore, and carried 7-0, to approve the Consent Agenda, with the changes incorporated in the Agenda Update Memorandum, with deletion of Items 20 and 29 (both separate action).

10. **CLERKS CONSENT AGENDA**

BC20210112DOC010

A. **WARRANT LISTING**

Accepted the Warrant (Check) Listing for the Month of December 2020, as issued by the Finance Department

BC20210112DOC011

B. **MINUTES**

Approved the Minutes of September 15 and December 15, 2020

C. **REFUNDS**

Approved:

- 1. Benderson Development – Utility Sewer Facility Investment Fees (FIF), \$2,296.35  
BC20210112DOC012
- 2. Country Oaks Homeowners Association – Billing Adjustment, \$4,999.73  
BC20200112DOC013
- 3. Maronda Homes – Utility Sewer FIF, \$3,560  
BC20210112DOC014
- 4. Maronda Homes – Utility Sewer FIF, \$2,848  
BC20210112DOC015
- 5. Mattamy Tampa/Sarasota LLC – Transportation Impact Fees, \$115,415  
BC20210112DOC016
- 6. Morris Engineering and Consulting LLC – Construction drawings, \$1,000  
BC20210112DOC017
- 7. Russell Tilton – Water FIF, \$6,652  
BC20210112DOC018
- 8. Jaime T. Tucker – Billing Adjustment, \$608.88  
BC20210112DOC019
- 9. Eldred Wears – Employee Health Benefits, \$2,895.75  
BC20210112DOC020

**D. CONTRACT**

Accepted the following Contract per Chapter 2-26 of the Manatee County Code and pursuant to Purchasing Division's Administrative Standards and Procedures Manual:

1. Agreement with Amerson Landscape, Inc., for landscape maintenance services for Robinson Preserve, Emerson Point Preserve and Jiggs Landing, compensation as specified in Exhibit B BC20210112DOC021

**E. REPORTS**

Accepted:

1. Housing Finance Authority of Manatee County – Audited Financial Statements for year ended September 30, 2020, and Annual Local Government Financial Report for FY 19/20 BC20210112DOC022

**F. BONDS**

Accepted:

1. Echo Lakes Apartments
  - Released Agreement in Conjunction with Surety Bond (Attachment A as Defect Security Warranting Required Improvements securing lift station drainage, and sewage collection improvements, \$39,423; and
  - Released and returned Surety Bond (Defect) 285056415 and any associated riders in conjunction with the Surety Bond, \$39,423 BC20210112DOC023
2. Heritage Harbour, Subphase J Unit 4-B
  - Released Agreement in Conjunction with Surety Bond (Attachment A as Defect Security Warranting Required Improvements, potable water and sanitary sewer improvements, \$9,464.33; and
  - Released and returned Letter of Credit (Defect) FGAC-17005, and any associated riders with this Letter of Credit, \$9,464.33 BC20210112DOC024
3. Indigo Phase VIII-A
  - Released and returned Surety Bond (Performance) US00094894SU19A and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for Private Subdivision, \$1,035,258.51;
  - Accepted and executed Surety Bond (Defect) CS3249815 securing Section 1.5, Maintenance, Defects of the Agreement for Private Subdivision Improvements accepted by the Board of County Commissioners on May 19, 2020, for Phase VIII-A securing surveying, potable water, and sanitary sewer improvements, \$78,074.70; and
  - Accepted and executed Bill of Sale BC20210112DOC025
4. Lakewood National Golf Club Phase IIB
  - Released and returned Letter of Credit (Performance) FGAC-19151 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for a Private Subdivision, \$458,506.55;
  - Released and returned Letter of Credit (Performance) FGAC-19150 and any associated riders in conjunction with the performance portion of the Agreement for Public Improvements for a Private Subdivision, \$1,987,776.43
  - Accepted and executed Letter of Credit (Performance) FGAC-19340 securing the Agreement for Private Subdivision Improvements accepted by the Board of County Commissioners on April 16, 2020 securing final lift of asphalt improvements, \$115,515.27; and
  - Accepted and executed Letter of Credit (Defect) FGAC-19554 securing Section 1.5, Maintenance/Defects of the Agreement for Private

Subdivision Improvements accepted by the Board of County Commissioners on April 16, 2020 securing sanitary sewer and water improvements, \$32,990 BC20210112DOC026

5. The Moorings at Heritage Harbour
  - Released Agreement in Conjunction with Surety Bond (Attachment A) as Defect Security Warranting Required Improvements, potable water and sanitary sewer, \$30,593.67; and
  - Released and returned Letter of Credit (Defect) FGAC-17034, and any associated riders, \$30,593.67 BC20210112DOC027
6. The Tides fka Bayside Lake RV
  - Accepted and executed Agreement in Conjunction with Surety Bond (Attachment A) as Defect Security Warranting Required Improvements securing offsite sidewalk improvements associated with this project
  - Accepted and executed Surety Bond (Defect) PB02230800336, \$8,719.67 BC20210112DOC028

**G. PARTIAL RELEASE OF SPECIAL IMPROVEMENT ASSESSMENT LIENS:**

1. Project 3137 - Winterland Estates Sewer, David Lacher and Thomas Lacher BC20210112DOC029
2. Project 3137 - Winterland Estates Sewer, David R. and Laura L. Liddell BC20210112DOC030
3. Project 5288 - 55th Avenue East Paving, John Ethridge BC20210112DOC031

**H. RESOLUTION**

Adopted Resolution R-21-011, authorizing the Chairman and First Vice-Chairman to sign checks BC20210112DOC032

**11. COUNTY ATTORNEY/REQUEST FOR REIMBURSEMENT**

- Approved the reimbursement to County Attorney Mitchell Palmer, of reasonable attorney's fees and costs in his defense of the complaint in the sum of \$7,687.75; and
- Direction to the Clerk of Court to issue a check payable to Mitchell Palmer for the aforementioned sum (regarding The Florida Bar disciplinary complaint brought against him by former County Commissioner Robin DiSabatino) BC20210112DOC033

**12. COUNTY ATTORNEY/LAWSUIT/SETTLEMENT**

Accepted Plaintiff's Proposal for Settlement in the amount of \$70,000, in the matter of Jessica P. Davis, as Personal Representative of the Estate of Carnell Davis v. Rick Wells, Sheriff of Manatee County (wrongful death lawsuit), Case 2018-CA-4498 BC20210112DOC034

**13. COUNTY ATTORNEY/LAWSUIT/SETTLEMENT**

Authorized the County Attorney, or his designee, to serve a Proposal for Settlement for up to \$70,000, at his discretion, to Plaintiff in the matter of Linda Apperson v. Manatee County (personal injury lawsuit), Case 2018-CA-1237 BC20210112DOC035

**14. COUNTY ATTORNEY/EMINENT DOMAIN PROCEEDINGS**

- Adopted Resolution R-21-009, amending Resolution R-20-054, determining public purpose and necessity for the acquisition of Parcels 142A, 142.02A and 142.02B, as related to the proposed improvements to Moccasin Wallow Road, from U.S. 41 to Gateway Boulevard, and deleting Parcel 122.03; and
- Adopted Resolution R-21-010, amending Resolution R-20-055, authorizing the use of eminent domain "quick take" proceedings in the acquisition of Parcels 142A, 142.02A and 142.02B, as related to the proposed improvements to Moccasin Wallow Road, from U.S. 41 to Gateway Boulevard, and deleting Parcel 122.03 BC20210112DOC036

15. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/HEIGHTS, PHASE II, SUBPHASE B**

- Executed and authorized recording of Final Subdivision Plat;
  - Authorized recording the Supplemental Declaration to the Declaration of Covenants, Conditions, Restrictions and Easements for the Heights;
  - Authorized the County Administrator to accept, execute and record Agreement for Private Subdivision with Public Improvements for Heights, Phase II, Subphase B;
  - Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Heights, Phase II, Subphase B, Surety Bond SU1169898, \$503,535.18;
  - Authorized the County Administrator to accept, execute and record Agreement for Private Subdivision with Private Improvements for Heights, Phase II, Subphase B;
  - Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Heights, Phase II, Subphase B, Surety Bond SU1169900, \$1,246,694.02; and
  - Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Heights, Phase II, Subphase B, Surety Bond SU1169899, \$73,799.38
- BC20210112DOC037

16. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/LAKE CLUB, PHASE IV, SUBPHASE C-1, AKA GENOA**

- Executed and authorized recording of Final Subdivision Plat;
  - Authorized recording the Supplemental Declaration for Lake Club, Phase IV, Subphase C-1, aka Genoa;
  - Authorized the County Administrator to accept, execute and record Agreement for Private Subdivision with Public Improvements for Lake Club, Phase IV, Subphase C-1, aka Genoa;
  - Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Lake Club, Phase IV, Subphase C-1, aka Genoa, Surety Bond LICX1193373, \$878,325.73
  - Authorized the County Administrator to accept, execute and record Agreement for Private Subdivision with Private Improvements for Lake Club, Phase IV, Subphase C-1, aka Genoa; and
  - Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Lake Club, Phase IV, Subphase C-1, aka Genoa, Surety Bond LICX1193775, \$1,622,164.91
- BC20210112DOC038

17. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/NORTH RIVER RANCH, PHASE IA-2**

- Executed and authorized recording of Final Subdivision Plat;
- Authorized recording Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for North River Ranch to add North River Ranch, Phase IA-2;
- Accepted, executed and authorized recording of Joinder and Consent of the Fieldstone Community Development District, to (I) the plat for North River Ranch, Phase IA-2, and (II) the Declaration of Covenants, Conditions and Restrictions for North River Ranch to Add North River Ranch, IA-2, and to all Dedications, Easements and Reservations Thereon;
- Authorized the County Administrator to accept, execute and record Agreement for Public Subdivision with Public Improvements for North River Ranch, Phase IA-2;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, North River Ranch, Phase IA-2, Surety Bond 59BSIL7905, \$935,441.33;

- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, North River Ranch, Phase IA-2, Surety Bond 59BSIL7906, \$44,850;
- Authorized the County Administrator to accept, execute and record Agreement for Public Subdivision for Private Improvements for North River Ranch, Phase IA-2;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, North River Ranch, Phase IA-2, Surety Bond 59BSIL7904, \$168,114.05;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, North River Ranch, Phase IA-2, Surety Bond CS3250165, \$477,828; and
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, North River Ranch, Phase IA-2, Surety Bond 59BSIL7907, \$132,405

BC20210112DOC039

18. **BULDING AND DEVELOPMENT SERVICES/LETTER**

Authorized the Chairman to sign a letter to the School Board of Manatee County, confirming the County's determination of consistency with the Manatee County Comprehensive Plan – Haval Farms (aka North River Ranch) Middle School site

BC20210112DOC040

19. **FINANCIAL MANAGEMENT/BUDGET AMENDMENT RESOLUTION**

Adopted Budget Amendment Resolution B-21-034

Ag

21. **FINANCIAL MANAGEMENT/AGREEMENT/PROFESSIONAL DESIGN SERVICES**

- Authorized awarding Agreement 19-R069969CD, Professional Design Services for Advanced Transportation Management Systems (ATMS), to Metric Engineering, Inc., in the not-to-exceed amount of \$799,946.09; and
- Authorized the Procurement Official, or designee, to execute Agreement 19-R069969CD for the countywide ATMS project along five corridors that will include various ATMS equipment: 1) Lakewood Ranch Boulevard (University Parkway to S.R. 70); 2) U.S. 301 (Old Tampa Road to Moccasin Road), Parrish; 3) U.S. 41 (North of 17th Street to Moccasin Wallow Road), Parrish; 4) Moccasin Wallow Road (I-75 to U.S. 301), Parrish; and 5) Lorraine Road (University Parkway to S.R. 64)

BC20210112DOC042

22. **FINANCIAL MANAGEMENT/AGREEMENT/LENA ROAD LANDFILL**

Authorized the Procurement Official, or designee, to execute Agreement 21-N004435JS, for cover dirt for Lena Road Landfill, to the lowest responsible and responsible bidder, VLJ Construction Services, Inc., to provide all the necessary labor, materials and equipment to provide cover dirt for the Lena Road Landfill, for a total, not-to-exceed amount of \$863,600

BC20210112DOC043

23. **FINANCIAL MANAGEMENT/AGREEMENT/PAINTING SERVICES**

Authorized the Procurement Official, or designee, to execute Amendment 1 to Agreement 18-R067962CB with Greenscape Enterprises, Inc., dba Boro Building and Property Maintenance; Hampton Painting, Inc.; and P J Goldman Painting Co., Inc., for painting services for an aggregate Agreement, not-to-exceed amount of \$1,500,000

BC20210112DOC044

24. **FINANCIAL MANAGEMENT/AGREEMENT**

Authorized the Procurement Official, or designee, to execute Amendment 1 to Agreement 19-R070680CB for Sod, Grass Seeds, Herbicides and Related Materials with the following four firms: Alligare LLC; Helena Agri-Enterprises LLC; Sunbelt Sod and Grading Company; and Wholesale Landscape Supply, Inc., dba Big Earth Landscape Supply, extending the Agreement for an additional two-years, in the cumulative aggregate Agreement total, not-to-exceed amount of \$3,000,000

BC20210112DOC045

- 25. **FINANCIAL MANAGEMENT/AGREEMENT**  
Authorized the Procurement Official, or designee, to execute Amendment 1 to Blanket Purchase Order Agreement P1801079, for Proprietary Repair Parts and Service on an as-needed basis, with Ring Power Corporation, in the aggregate Agreement total, not-to-exceed amount of \$2,500,000 BC20210112DOC046
  
- 26. **FINANCIAL MANAGEMENT/AGREEMENT**  
Authorized the Procurement Official, or designee, to execute Amendment 2 to Agreement 18-R067950BLS with Brightview Landscape Services, Inc., for Lift Station Landscape Maintenance Services, for an aggregate Agreement total, not-to-exceed amount of \$1,250,000 BC20210112DOC047
  
- 27. **FINANCIAL MANAGEMENT/AGREEMENT**  
Authorized the Procurement Official, or designee, to execute Amendment 2 to Agreement 19-TA002958AJ, for Exotic Vegetation Removal, Minor Excavation, Planting and Maintenance Services, with the following five firms: A+ Environmental Restoration LLC; Cardno, Inc.; Earthbalance Corporation; Eco Tech Environmental LLC; and Rick Richards, Inc., for a cumulative aggregate Agreement total, not-to-exceed amount of \$2,000,000 BC20210112DOC048
  
- 28. **FINANCIAL MANAGEMENT/AGREEMENT**  
Authorized the Procurement Official, or designee, to execute Change Order 1 to Agreement 19-TA003069AJ, End of Service Life Force Main Replacements with Harris-McBurney Company, adding an additional 120 calendar days to the construction schedule, with no additional costs incurred (new construction completion date of 5/6/21 for End-of-Service Life Force Main Replacement) BC20210112DOC049
  
- 30. **PARKS AND NATURAL RESOURCES/CHANGE ORDER/PASSAGE KEY INLET MANAGEMENT STUDY**  
Executed Change Order 1 to Florida Department of Environmental Protection (FDEP) Agreement 17ME2, Passage Key Inlet Management Plan Study, extending task completion time to March 31, 2021, with no other changes BC20210112DOC050
  
- 31. **PARKS AND NATURAL RESOURCES/CHANGE ORDER/LONGBOAT PASS INLET MANAGEMENT PLAN**  
Executed Change Order 1 to FDEP Agreement 17ME3, Longboat Pass Inlet Management Plan Implementation (Manatee County), extending task completion date to March 31, 2021, with no other changes BC20210112DOC051
  
- 32. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**  
Accepted recorded Permanent Utilities Easement from Gateway Storage LLC (includes Consent and Joinder from The Northern Trust Company), for property located at 4805 96th Street East, Palmetto (approximately 788 square feet), required in accordance with the final site plan to receive Certificate of Occupancy BC20210112DOC052
  
- 33. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**  
Authorized execution and recording of Easements (2) to Florida Power and Light Company (FPL), for property located at Robinson Preserve, 840 99th Street Northwest, so FPL can bore, from Robinson Preserve under the bayou and mangrove area westerly to Harbour Isles, to install underground power to improve the power grid in the area and improve aesthetics BC20210112DOC053

34. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**  
Executed and authorized recording of Subordination of Utility Interests to Manatee County from Charter Communications, Inc., for Parcels 113A, 113B and 150 of the Moccasin Wallow Road Expansion Project (U.S. 41 to Gateway Boulevard), (Charter Communications utilities will remain in the new right-of-way) BC20210112DOC054
35. **PUBLIC SAFETY/LETTER/LOCAL MITIGATION STRATEGY PLAN ANNUAL UPDATE**  
Executed letter to the State of Florida, Division of Emergency Management, regarding the Local Mitigation Strategy Plan Annual Update, along with the list of the current 2020 Local Mitigation Strategy Workgroup Members BC20210112DOC055
36. **PUBLIC SAFETY/AGREEMENT/PARAMEDICINE VACCINATION**  
Authorized ratification and confirmation of the Paramedicine Vaccination Agreement (COVID-19) between the State of Florida, Department of Health, Manatee County Health Department, and Manatee County, for Public Safety to assist with coordinating and administration of COVID-19 vaccinations to essential County employees or at-risk patients during declared public health emergency BC20210112DOC056
37. **PUBLIC WORKS/RESOLUTION /SARASOTA MPO**  
Adopted Resolution R-21-008, requesting a recommendation from the Sarasota-Manatee Metropolitan Planning Organization to the Florida Commission for the Transportation Disadvantaged, that Manatee County Government continue to serve as designated Community Transportation Coordinator for the Manatee County service area BC20210112DOC057
38. **PUBLIC WORKS/RESOLUTION/GRANT/AGREEMENT/PUBLIC TRANSPORTATION**  
Adopted Resolution R-21-012, authorizing the Public Works Director, or designee, to execute Public Transportation Grant Agreement, Financial Project Number 410141-1-84-06, Contract G1S77, with Florida Department of Transportation, providing funding in the amount of \$806,187 for eligible operating assistance expenses for provision of public transit services BC20210112DOC058
39. **PUBLIC WORKS/SURPLUS EQUIPMENT**  
Authorized classifying property, which is uneconomical to upgrade or repair as surplus per Florida Statute (F.S.) 274.05, to enable appropriate and authorized disposition of said property and authorization to thereafter dispose of such property BC20210112DOC059
40. **PUBLIC WORKS/SURPLUS VEHICLES**  
Authorized classifying vehicles, which are uneconomical to operate as surplus per F.S. 274.05, to enable appropriate and authorized disposition of said property and authorization to thereafter dispose of such property BC20210112DOC060
41. **UTILITIES/LENA ROAD LANDFILL TIPPING FEES**  
Authorized to waive tipping fees at the Lena Road Landfill for solid waste disposal from the Manatee County Fair to be held January 14-24, 2021 BC20210112DOC061
42. **UTILITIES/AGREEMENT/PINEY POINT RESERVOIRS**  
Authorized the County Administrator to execute the Administrative Agreement with the State of Florida Department of Environmental Protection, regarding acceptance of wastewater from Piney Point Reservoir under Manatee County's Industrial Pretreatment Program BC20210112DOC062

(End Consent Agenda)

47. **COUNTY ADMINISTRATOR/CARES ACT STRATEGIES UPDATE**

 Jacob Saur, Public Safety Director, used a slide presentation to provide an update on the on-going response to the COVID-19 pandemic, including the registration process and the successes to date for the vaccine registration and vaccinations. Those 65 years old and over wishing to receive the vaccine could sign up for the added vaccination stand-by pool at <https://vax.mymanatee.org>. The public could also call 3-1-1 to pre-register for vaccination appointments. Manatee County Area Transit System would provide transportation to those who are not able to get to the vaccine sites. An allotment of 1,000 vaccines were shipped to Manatee County with plans to distribute on Thursday.

(Commissioner Bellamy absent for a portion of discussion)

 There was discussion regarding second doses to individuals, the County is starting to receive second dose allotments, supplies and overtime are eligible for reimbursement through the CARES Act, social media campaigns and press releases to notify the public and/or registrants that additional vaccines have been received, contents of the vaccination pool is generated and broken into groups to dispatch to 3-1-1 stations for staff to administer the vaccinations timely, Florida Department of Health Manatee has employed additional staff, the Governor has talked about each county having their own vaccination pods, current vaccination locations at this time, and the Pfizer and Moderna vaccines.

 Paul Alexander, Information Technology Services Director, explained the process of how those registered for the vaccine are randomly selected.

There being no public comment, Chairman Baugh closed public comment.

 Karen Stewart, Deputy County Administrator, reported on the County's CARES Act programs, noting the timeline to expend the funding provided to the County was extended to December 31, 2021. She emphasized there are no new dollars for CARES; it is the original amount received of \$70.4 million. The extension is an opportunity to expend the funds through the end of 2021 for requests approved by December 30, 2020. She noted a discrepancy in the information for the community and wellbeing category. Staff has set a target date of March 31, to finish up with the nonprofits and businesses.

 Discussion continued that governmental purchasing requirements are being used to facilitate the process, the auditing procedures in place for payments through the CARES Act funding, requirements of the Clerk's office for payments to be made, how organizations are being reimbursed for services, and changes received through the U.S. Department of Treasury for this cycle of disbursement.

 Ms. Stewart also outlined a new Emergency Rental Assistance Program and requested authorization for the County Administrator to execute the acceptance document.

**Emergency Rental Assistance Program**

 A motion was made by Commissioner Servia, to authorize the County Administrator to execute the submission for U.S. Department of Treasury Emergency Rental Assistance. The motion was seconded by Commissioner Whitmore and carried 7-0.

There being no public comment, Chairman Baugh closed public comment.

Extend State of Emergency

 A motion was made by Commissioner Whitmore, to extend the Local State of Emergency for an additional seven days. The motion was seconded by Commissioner Servia.

There being no public comment, Chairman Baugh closed public comment.

 Ms. Coryea advised that the Governor issued Executive Order 20-316, which extended the State of Emergency for the State through March 3, 2021.

The motion carried 7-0.

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(Note: Further comments later in the meeting.)

20. FINANCIAL MANAGEMENT/INVITATION FOR BID CONSTRUCTION/SOUTHEAST MASTER LIFT STATION

 Jacob Erickson, Procurement Official, explained the bidding process for this project and why the lower bidder was recommended.

(Commissioner Bellamy absent for a brief portion of the discussion)

Discussion ensued regarding the process included in the County's Procurement Manual.

There being no public comment, Chairman Baugh closed public comment.

 A motion was made by Commissioner Whitmore, seconded by Commissioner Kruse and carried 7-0, to approve the recommended motion:

- Authorize the award of Invitation for Bid Construction (IFBC) 21-TA003505AJ, Southeast Master Lift Station 667E Rehabilitation, to the lowest, responsive and responsible bidder, Granger Maintenance and Construction, Inc., for a total, not-to-exceed cost of \$868,286.15, with a construction completion time of 365 calendar days; and
- Authorize the Procurement Official, or designee, to execute the Agreement and accept and date the Public Construction Bond.

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47. COUNTY ADMINISTRATOR/CARES ACT STRATEGIES UPDATE (continued)

 Angelina Colonnese, Clerk of the Circuit Court, responded to questions regarding the requirements and procedures for fulfilling CARES payment requests.

BC20210112DOC063

29. PARKS AND NATURAL RESOURCES/RESOLUTION/GRANT/COQUINA SOUTH BOAT RAMP

 Charlie Hunsicker, Parks and Natural Resources Director, responded to questions regarding the Grant, as well as the cost and timeframe to upgrade and complete the Coquina South Boat Ramp.

A motion was made by Commissioner Whitmore and seconded by Commissioner Van Ostenbridge, to:

- Adopt Resolution R-21-015, approving the FY 21 Manatee County Parks and Natural Resources Coquina South Boat Ramp Waterside Renovation Project grant application to the West Coast Inland Navigation District (WCIND) for \$1,800,000, and authorizing submission of said application;
- Authorize the Chairman of the Board of County Commissioners to sign any and all agreements with WCIND upon approval of said application; and

- Authorize the County Administrator, or designee, to sign extensions and sub-recipient agreements with those agencies that are not County departments

There being no public comment, Chairman Baugh closed public comment.

The motion carried 7-0.

BC20210112DOC065

**RECESS/RECONVENE:** 12:10 p.m. – 1:30 p.m. All Commissioners were present.

44. **PARKS AND NATURAL RESOURCES/ENVIRONMENTAL LAND MANAGEMENT AND ACQUISITION ADVISORY COMMITTEE**

 A motion was made by Commissioner Servia, to nominate Ryan Ratajcsyk to fill the vacant seat for the Florida Engineering Society position. The motion was seconded by Commissioner Whitmore.

 Charlie Hunsicker, Parks and Natural Resources Director, explained that staff was unable to verify Mr. Ratajczyk’s membership and credentials in the Florida Engineering Society. He noted that Chris Kolb is a member of the Florida Engineering Society and has been verified through the society’s website.

 Commissioner Whitmore withdrew her second to the motion. The motion died for lack of a second.

 A motion was made by Commissioner Kruse, to appoint Chris Kolb to the 15-member Environmental Lands Management and Acquisition Advisory Committee. The motion was seconded by Commissioner Whitmore.

There being no public comment, Chairman Baugh closed public comment.

The motion carried 7-0.

BC20210112DOC066

**ADVERTISED PUBLIC HEARINGS** (Presentations upon request)

45. **PROPERTY MANAGEMENT/RESOLUTION/VACATION/PINEHURST SUBDIVISION PLAT**

A duly advertised public hearing was held to consider adoption of proposed Resolution R-21-002, vacating a portion of an alleyway platted within Block 4 of the Pinehurst Subdivision Plat.

 Maggie Gaughan, Real Property Specialist, reviewed the request.

 A motion was made by Commissioner Servia, to adopt Resolution R-21-002. The motion was seconded by Commissioner Van Ostenbridge.

There being no public comment, Chairman Baugh closed public comment.

The motion carried 7-0.

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46. **PROPERTY MANAGEMENT/RESOLUTION/CRAMPTON RE-SUB OF CORTEZ ADDITION**

Victoria Rosenbecker, Property Management Department, explained the Board previously adopted Resolution R-20-061 (6/16/20), to vacate the same roads that are the subject of this vacation request; however, a scrivener’s error was discovered in the legal description in the sketch. The County Attorney recommended that a new resolution with the correct legal

description and sketch be presented. She presented and recommended adoption of Resolution R-21-005.



A motion was made by Commissioner Whitmore and seconded by Commissioner Servia, to adopt Resolution R-21-005.

There being no public comment, Chairman Baugh closed public comment.

The motion carried 7-0.

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**COMMISSIONERS' COMMENTS** 

Chairman Baugh

- Distributed email regarding the use of certain types of lines and circle hooks when fishing from the Skyway Bridge and the dangers to birds when they get caught in those lines/hooks.

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There was discussion that there is a local group that hires people to man the Skyway Bridge and help to release birds when caught in fishing equipment, the Florida Fish and Wildlife Conservation Commission would need to get involved, instead of cutting the fishing line people should get the birds up to the pier and remove the hook to save the bird, this is why the circle hooks are so important, there are certain circle hooks that are mandated to be used around the reefs, and this issue would come back to the Board.

William Clague, Chief Assistant County Attorney, noted that State action would be necessary if the Board wished to require the use of circle hooks anywhere other than on County-owned property.

Commissioner Servia 

- Asked about the plans for Board meetings to return to County Commission Chambers in February, and what preparations are being made to keep everyone safe on the dais

(Commissioner Kruse absent for portion of discussion)

Discussion ensued regarding safety protocols for COVID, social distancing would continue to be on the forefront, potential for the use of other safety measures in the building such as metal detectors, plexiglass dividers between Commissioners, suggestion to relocate the County Attorney and County Administrator to the table down in front of the dais, Board procedures require four in-person Commissioners to conduct a meeting and for calling in, concern of safety, COVID numbers continue to rise, City of Bradenton Chambers has metal detector entry, request to look into installing metal detectors at the entrance of County Commission Chambers, ask the Sheriff to assess the Administrative Center Building for security measures for both staff and the public, this would require a collective decision by all Commissioners, pro-active rather than reactive, people do not have a right to carry firearms into the Administration Building, the policies for the Administrative Building are not adopted by the County Attorney's office, schedule a work session to discuss the right of employees and Commissioners to carry firearms in the Administration Building, the new meeting room on the fifth floor for workshops is not yet complete, the room would also serve for overflow during meetings, and the County Administrator anticipates bringing back a report February 9.

Mr. Clague stated the County Attorney's office would be prepared to report on the carrying of firearms into the Administration Building at the next Board meeting.

(Enter Commissioner Kruse)

48. **BOARD OF COUNTY COMMISSIONERS 2021 AND BEYOND GOAL SETTING**

 Chairman Baugh stated it was uncertain if a thorough discussion on this topic would be accomplished today. She asked the County Administrator to schedule a continuation of this subject to February 2, followed by the Piney Point matter.

Ms. Coryea stated several Commissioners requested an open dialogue based on discussion held at the December 15 meeting.

Commissioners summarized their individual goals, concepts and philosophical direction for 2021 and beyond:

**Commissioner Whitmore** 

Referenced the County Administrator's Strategic Plan that was presented to the Board in October 2020. She would not vote to raise taxes; wishes to move forward with the new animal shelter; would like projects in the Capital Improvement Program (CIP) to move forward sooner rather than later; wants to upgrade the Convention Center to make it compatible with the new adjacent hotel; and something should be done this year with the Confederate Monument.

**Commissioner Kruse** 

Commented on the general structure of administration and staff; establishing benchmarks; hiring practices; level of staffing required; outsourcing for better services; the ability of an open setting to express individual ideologies of Commissioners; ability for the public to share thoughts; the budget structure and process; putting together the agenda; how the public receives the agenda; assess the millage rate and additional fees for levels of service; the current process for handling Reserves; maintaining a big General Fund; possible bonding, public/private partnerships; how regulations are presented; non-agenda public comments; receiving citizen comments first; public access to Commissioners; the quantity/quality and structure of work sessions; and meeting times. He suggested ideas for Administration and staff to focus on: the structure of staff, the budget, putting together the agenda and how the public receives the agenda.

**Citizen Comments**

 Andra Griffin commented on the desire for less government, cutting taxes, wasteful spending on animal projects and property purchases that are not needed at this time; out-of-control growth without providing necessary infrastructure, a one-year moratorium on zoning to achieve smart growth, a change in County Administration that better reflects Manatee County and its voters, qualifications of the County Administrator position, the acquisition of the Lena Road property, and bills providing for civil right protections for political affiliations.

 Walter Wulczak submitted comments on redistricting occur every ten years with the census, charge impact fees at 100 percent, and changes be made to the zoning process. He also commented on a charter form of government.

 Michelle Martin commented on bureaucracy in County government, COVID, and the ideology on the requirements for masks in County buildings.

 Glen Gibellina commented on homeless veterans and veteran shelters, Board action taken on Agenda Item 11, the land use application process, and the School Board budget and taxes.

 By telephone, Corey Holmes stated the County's organizational chart should be posted on the County's website. He commented on salaries in the County Attorney's office, suggested each Commissioner have an Aide to assist in providing accurate information to the public, and concern of the public's perception of Sunshine Law violations.

There being no further public comments, Chairman Baugh closed public comments.

**Commissioner Van Ostenbridge** 

Asked that the Board get more aggressive with road construction by tapping into Reserves, using General Revenue, or bonding; he is not prepared at this point in time to lower the millage rate, but does not favor raising taxes; the need to define a tax; does not support putting a new tax on the ballot; would like the County Administrator to look at lowering staffing levels this year through attrition, as well as reducing the number of departments by privatizing services (Transit) and other departments; requested a work session to discuss the land acquisition process; wants to look at what to do with the Confederate Monument; supports protecting civil liberties; does not support a curfew, does not support Charter Government at this time; in favor of weekend work sessions for working class citizens; requested a work session on workforce housing and surplus properties; and wants a solution to Piney Point by the end of the calendar year.

(Commissioner Van Ostenbridge was absent for portion of Chairman Baugh's comments)

**Chairman Baugh** 

Commented on the importance of infrastructure and the need for a serious in-depth look at the CIP; suggested departments be consolidated and reduced; Piney Point is her number one priority this year; the Land Development Code (LDC) and procedures in the Building and Development Services Department need to be looked at and changes are needed; awards and proclamations should not be scheduled at the beginning of meetings, separate meetings could be held to present awards and proclamations; land use meetings for legislative items could be held one day and quasi-judicial items on another day; the Confederate Monument is not on her list, because there are so many other priorities of the majority of citizens that need to be tackled first, but it is a topic that warrants discussion and respect shown; suggested Animal Services be revamped; the current animal shelter is on four acres of land and a new facility could be built without purchasing land; how to better serve the animal community and work with other animal rescues; and keep the needs and services of citizens priority.

(Commissioner Baugh absent for a portion of Commissioner Servia's comments)

**Commissioner Servia** 

Commented about the accuracy of COVID-19 PCR (polymerase chain reaction) testing; hopes to see Piney Point resolved this year; willing to look at consolidating County Departments and outsourcing services but with concern of the effects to current levels of service; does not support Commissioner Aides; challenges of available staff for weekend meetings; open to privatizing County services and the efficiencies to be gained without reducing the level of service, what works and does not work for other counties; not in favor of raising or lowering the millage because of maintaining levels of service to citizens; open to discussion on Charter Government but with concern of creating another level of bureaucracy; there is a unclaimed person cemetery on the current animal shelter site that is not buildable; open to bonding for improvements but there must be a revenue source; open to discussion on the consequences of lowering County Reserves; an accurate report is needed on the County's unrestricted cash; in favor of streamlining LDC regulations, should Manatee continue being a no-kill county; more security is needed in County Commission meetings; and the process for returning to the Commission Chambers.

**Commissioner Bellamy** 

Commented about the animal shelter and the cemetery on the site; trees and shrubbery are overgrown in rights-of-way and need to be addressed when looking at infrastructure needs such as lights and sidewalks in blighted areas; veterans shelters and homeless outreach teams (HOT); requested another deputy for the HOT team and another counselor at Centerstone to address the increasing homeless population; look at securing a full-time staff person to communicate with the Spanish and Creole speaking communities; wants emphasis on the inclusion and diversity as it relates to hiring and promoting from within the County; address the procurement process and how it relates to minority contractors; wants to look at bringing minority enterprises to Manatee County; wants to address the timeline for projects in the CIP; and the challenge of downsizing departments without compromising levels of service and response times to citizens.

(Commissioner Satcher was absent for a portion of Commissioner Kruse's comments)

**Commissioner Kruse** 

Further suggested reserving one day for meaningful conversation; reiterated comments on the millage rate and Reserves; would like to see the budget with State-required Reserves and County-elected Reserves; using Reserves to address public safety issues; dedicated funds, bonding and public/private partnerships; County should be taking advantage of its AAA bond rating; look at levels of service; focus on core services for taxpayers; the Board should make decisions on big policy issues and not staff; the hiring practices for County Administrator, County Attorney, and Director positions should go through a national search; internal versus privatized services; the private sector can do more efficiently than the County; consider funding existing animal shelters in the county to oversee animal services; the nature and delivery of staff reports; remove the sentence "staff recommends approval" from staff reports because this statement puts the Board in the position of having to disprove staff; staff's job is to aggregate/present information and it is Board's responsibility to determine whether to approve or deny an item.

 He also suggested that anyone wanting to propose a regulation should complete a simple, one-page form on how much the particular process/task costs today, how much it would cost with the new regulation; how much time it takes today, how much time it would take with the new regulation, and a simple paragraph on how this regulation would provide a better quality of life, safety and security for the citizens of Manatee County. Place those key regulations on an agenda for discussion.

 He suggested more advanced notice of meeting agendas; post future and upcoming work sessions on the County website; also post yellow public hearing notice signs on the County website; present awards and proclamations prior to the 9:00 a.m. regular meeting; schedule more time-certain items and adhere to the time certain; schedule legislative items for a separate meeting from quasi-judicial items; eliminate the 30-minute time limit for public comment; hold one meeting a month after 5:00 p.m. to allow public comment on non-agenda items; schedule more work sessions and include advisory board members associated with the topics; hold meaningful discussion on Charter Government, surplus lands, and more incentives for affordable housing; multi-modal transportation; infrastructure (i.e. greenways and trails); and staff recruitment and mentoring.

**Commissioner Whitmore** 

Further commented on Accessory Dwelling Units; changes to agendas; she is open to holding weekend meetings but requested advanced notice; Manatee County is under a State Order of Emergency regarding COVID; the salary of a Commissioner; spoke against Commissioners

having Aides and does not support paying for Aides; asked the Board to re-think Animal Services; noted the County already contracts services for Spanish and Creole communications; the County's population has increased exponentially but level of service has not kept up; wants to know more in a public meeting about Commissioner Kruse's finance ideas; agrees about staffing levels through attrition to a point but has concern of maintaining levels of service; emphasized the importance of Piney Point, but there are other priorities; and questioned what changes would be made to Building and Development Services Department.

Bill Clague, Chief Assistant County Attorney, commented on the suggestions made regarding land use meetings, staff reports and notices of public hearings. He stated he would forward a memo to Commissioners referring to Florida Statute giving the County limited time to act on development applications.

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 Chairman Baugh stated she discussed with the County Administrator about moving agendas sooner in order for Board members to review items and ask questions timely.

(Chairman Baugh was absent for a portion of Commissioner Servia's comments)

 Commissioner Servia agreed on moving legislative items to a separate meeting; cautioned the Board of getting into the practice of lowering and raising millage rates on a regular basis; commented on the distinction between a tax versus a fee, the Board is taking advantage of the county's AAA bond rating; agreed that the Board should stay focused on big policy issues; prefers to see something in the staff report that shows how a land use item meets the regulations of the Comprehensive Plan and the LDC; the consequences of publishing agendas sooner may result in a slower movement through the system; agrees with publishing notices of land use items on the County's website; and in favor of meetings after 5:00 p.m. and on weekends, but this may create challenges in the goal to reduce staff levels while expanding the need to have staff available for night and weekend meetings and having to pay overtime.

### Commissioner Satcher

Responded to comments made, would like to see goals accomplished, projects completed and infrastructure needs met.

There was discussion regarding the Canal Road project.

### Commissioner Bellamy

Wants to keep Canal Road in the forefront as there was another recent accident in this location; removal of the statement "staff recommends approval" from staff reports on land use items will prevent the Board from understanding the process staff has taken to arrive at their conclusion; and questioned how the County could take Reserves to address flooding and drainage issues.

Mr. Clague commented on suggestions regarding land use meetings, staff reports, notices of public hearings, and level of service improvements.

Commissioner Whitmore commented on the five acres of the Lena Road Landfill property reserved for Sheriff's fleet services and Board commitment that the Sheriff be the first entity on the site.

(Depart Commissioner Whitmore)

By telephone, Carol Felts stated information needs to get to citizens, who want to know how things work.

Richard Tatum encouraged the Board and staff to use a different mindset when considering regulations.

City of Bradenton Mayor Gene Brown asked that when the topic of Charter Government comes up, that everyone not repeat the past, but look to the future and study the issue before a decision is made.

There being no further public comment, Chairman Baugh closed public comment.

It was the consensus of the Board that an annual work session be scheduled to discuss strategic plans.

Chairman Baugh asked that the topic of strategic planning come back for discussion on February 2.

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**ADJOURN**

There being no further business, Chairman Baugh adjourned the meeting at 4:38 p.m.

Minutes Approved: April 6, 2021