

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COUNTY ADMINISTRATION BUILDING; HONORABLE PATRICIA M. GLASS CHAMBERS  
1112 Manatee Avenue West  
Bradenton, Florida  
MAY 25, 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  
Reggie Bellamy, Third Vice-Chairman  
Misty Servia  
James A. Satcher III  
Carol Whitmore

Also present were:

Dr. Scott L. Hopes, Acting County Administrator  
William Clague, County Attorney  
Vicki Tessmer, Board Records Supervisor, Clerk, Clerk of the Circuit Court

Chairman Baugh called the meeting to order at 9:01 a.m.

**INVOCATION**



The Invocation was delivered by Commissioner Satcher followed by the Pledge of Allegiance.

**AGENDA**

BC20210525DOC001

Time Certain

Item 31 - 9:45 a.m. Adoption of Resolution and execution of Employment Contract with County Administrator, Dr. Scott L. Hopes

Agenda Update Memorandum

BC20210525DOC002

Item 12 - Authorization for staff to secure property at 337 Suwannee Avenue, Deleted from agenda

BC20210525DOC003

Item 13 - Reduction of Code Enforcement Fines for Pierre Daniel Cidera (CE2017040485), Moved to New Business items, removed from Consent

Item 14 - Reduction of Code Enforcement Fines for Julia Therese Schemel (CE2017040135), Moved to New Business items, removed from Consent

Item 15 - Reduction of Code Enforcement Fines for Robin H. Sieger (CE2001060076), Moved to New Business items, removed from Consent

Item 16 - Reduction of Code Enforcement Fines for Robin H. Sieger (CE2007040283), Moved to New Business items, removed from Consent

Item 29 - American Rescue Plan, PowerPoint presentation and a documents outlining frequently asked questions were added to the agenda

Item 30 - Appointment of Deputy County Administrator, Requested action updated to "Motion to defer the confirmation of a Deputy County Administrator to June 8, 2021

Item 31 - Appointing Dr. Scott L. Hopes as County Administrator, Resolution R-21-108 added to the agenda item and the requested action was updated to read "I move to adopt Resolution R-21-108, appointing dr. Scott Hopes as County Administrator"

Item 32 - Resolution R-21-085, School Board Millage and Adoption of Budget Resolution B-21-086, Requested action update to "Motion to defer Resolution R-21-085 and Budget Resolution B-21-086 to June 8, 2021"

Item 35 - Discussion of Planning for a Community Wide Event for Homeless Services, Added


- to Agenda (Commissioner Kruse)  
Item 36 – Discussion of Compatibility between light manufacturing and residential, Added to Agenda (Commissioner Servia)  
Item 37 – Execution of Letter to the city of Holmes Beach regarding Holiday Parking on Holmes Beach, Added to Agenda (Commissioner Van Ostenbridge)

Chairman Baugh addressed issues in the Parking garage.

Commissioner Van Ostenbridge clarified his Commissioner Agenda item is regarding beach parking, not just for the upcoming holiday.

**PRESENTATIONS**

1. **FEEDING TAMPA BAY**

 Thomas Mantz, President and CEO of Feeding Tampa Bay, attended via Zoom and, used a slide presentation to report on the work of Feeding Tampa Bay, statistics regarding families in need, goals, steps to provide nutritious food and services, key strategies in Manatee County, the current goal is to provide seven million meals in Manatee County for the remainder of the fiscal year, hope to get to a hunger free Manatee County by 2025, agency partners, poverty and ALICE data, distribution areas in Manatee County, distribution programs, CARES Act impact, and future opportunities.

Discussion ensued regarding wrap-around services with other agencies, assisting customers with other resources which will assist them, and direct customers to the County website for links to these services.

BC20210525DOC004

**PROCLAMATIONS**

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


2. Memorial Day – May 31, 2021, presented by Commissioner Bellamy accepted by Lee Washington, Veterans Services Officer, and Renee Modeno, Veterans Services Counselor, who announced the schedule for Memorial Day events

BC20210525DOC005

Chairman Baugh read the Pledge of Public Conduct.


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

BC20210525DOC006

 Thomas Scaloda spoke regarding horseback riding in Palma Sola Bay and distributed a packet and requested the Board ban this activity.


BC20210525DOC007


Marsha Wikle spoke against horseback riding in Palma Sola Bay.


 Elaine Johnson, Rod Griffin, Richard Gullett, Julie Brown, and Betty Sailes Rhodes addressed the need for boat trailer parking at the Palmetto boat ramp, and asked that the property currently being used for parking, not be sold for development. They requested West Coast Inland Navigational District (WCIND) funds be used to purchase the property for the community.

 Glen Gibellina displayed a list of concerns and addressed homeless veterans’ needs, surplus property for for-profit builders, Accessory Dwelling Units, Visible Men Academy, Sadowski funds, and the Affordable Housing Advisory Committee be included in the All Things Housing work session.


BC20210525DOC008

 Angel Colonnese, Clerk of the Circuit Court, announced she will be sworn in as the President of the State of Florida Court Clerks and Comptrollers and thanked members of County staff for their help in preparing a video highlighting Manatee County.

 Carol Ann Felts requested further discussion regarding horseback riding on the Palma Sola Causeway, and requested the Board consider establishing a rural citizens advisory board.


 Rodney Jones supported citizen concerns regarding the Palmetto boat ramp and expressed concern regarding the hiring process for the County Administrator.


Discussion ensued that horseback riding on the Causeway has always taken place and water testing is done routinely, WCIND can only consider purchasing the Palmetto property if it is solely used for parking, the lot next to the boat ramp is owned by the Palmetto CRA, having a common voice for rural areas, potential for providing designated parking spots for commercial fisherman at County boat ramps, the Palma Sola Cause is under the jurisdiction of the Florida Department of Transportation, and possible future sites of boat ramps.


 William Clague, County Attorney, stated the City annexed the Causeway to FDOT who owns the Causeway bank to bank as right-of-way, and per Florida Statute they must allow the horses.

**RECESS/RECONVENE:** 10:34 a.m. – 10:44 a.m. All Commissioners present.

31. **COUNTY ATTORNEY/COUNTY ADMINISTRATOR/RESOLUTION**


 William Clague, County Attorney, provided a brief history of this item, and noted a Resolution and employment contract are included with the agenda.


 Chairman Baugh stated she worked with the County Attorney regarding drafting the Resolution and the proposed contract.


 Upon question, Dr. Scott Hopes, Acting County Administrator, provided his qualifications regarding the position as they relate to the requirements set forth in the County Administrator Ordinance.


Discussion occurred to add back Section 1.A.2 until December 1, that the Administrator cannot remove Department Directors or Deputy Administrators from employment, there is a 30 day notice clause for termination, a six-month review is required on or before October 1, 2021, the agreement includes that on or before December 1, 2021 the parties agree to mutually determine if this agreement will be extended beyond June 1, 2022, the public was told there would be a national search conducted, there is not a permanent contract, the salary would be changed at the time, amend Section III.A.3 to change performance review date to on or before November 1, 2021, remove the “Acting” title and some of the restrictions in the current contract, amend Section V.A to require Dr. Hopes resign from the School Board effective immediately, Florida Statutes lists the powers the Board may confer on the Administrator, to be spelled out by the contract, require the Administrator to provide a self-evaluation, no restrictions were placed in the Acting County Administrators, make a compromise and amend the time frame for Dr. Hopes’ resignation from the School Board to June 8, 2021.


 Commissioners expressed their individual concerns regarding the contract.


 Dr. Hopes stated a common proponent of evaluations is a self-evaluation.


 Discussion continued that the County Administrator should be able to do his job as specified in the contract, concerns regarding Commissioners threatening County employees and does the Code of Conduct cover baseless accusations, encourage Board members to follow the Pledge of Public Conduct, Commissioners represent the citizens, and unaware that anyone is fearful of their employment.


 Dr. Hopes explained his School Board resignation will either be on or before June 30, but he would like to be part of the School Board for the Superintendent's evaluation on June 8, 2021, assuming this is approved. The Governor has 30 days to make an appointment, and it could be an issue until a new member is appointed. He suggested the self-evaluation can be on October 1, 2021, and the BCC evaluation on November 1, 2021. It is a mistake to go into an organization and make immediate changes, and there are no anticipated changes to management. A Board should contribute and help the Administrator make the best decisions for the County. He will follow policies and guidance including Human Resources and personnel policies. He is hopeful the budget proposal for the Board will be finalized with the Board in the next week. He encouraged the Board to do a search, and he will not shy away from a search. And candidate needs to gain the respect of the Board daily.


 Mr. Clague responded that the interim agreement with Ms. Coryea gave her the powers in Florida Statutes without restrictions.


 Discussion ensued regarding implementing policies of the Board into the budget, give a time certain for the resignation from the School Board, could the evaluation for Superintendent Saunders be done without Dr. Hope's being a member, citizens have the right to speak at meetings, it is not necessary to spend time and money on a search, compromise with two weeks for the resignation from the School Board, and discourage Commissioners from saying disparaging things about each other.


 Michelle Martin questioned the status of the position with the new contract, the hiring process, and the need for an open search. She requested Dr. Hopes continue as an interim County Administrator and that he resign from the School Board.

 Betty Sales Rhodes spoke regarding evaluations at the School Board, the red-lined contract, and courtesy between Commissioners.


 Rodney Jones expressed concern regarding a criminal affidavit with the School Board and racial inequality.


 Andra Griffin agreed with the Contract, but expressed concern regarding the timeline for Dr. Hopes to resign from the School Board.


 Betsy Johnson questioned if Dr. Hopes has a criminal background.

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

 Discussion continued that this is a permanent contract with a short time frame.

 Dr. Hopes stated he will expedite his resignation from the School Board, and the Governor has to accept his resignation. Superintendent Saunders has not been convicted of Fraud, and Mr. Jones accusations have been investigated by the Florida Department of Law Enforcement, and it was found there was no basis for the complaints

 A motion was made by Commissioner Van Ostenbridge to approve the contract that the Chair has drawn up with the caveat that Dr. Hopes resigns from the School Board on June 2, 2021.

 Mr. Clague recommended the following motion to adopt Resolution R-21-108 appointing Dr. Hopes as the County Administrator with the following changes to the employment contract, Section II.A.3 to add the requirement for the submittal of a self-evaluation to the Board on or before October 1, 2021 and to change the date of the delivery of a self-evaluation on or before October 1, and the change the date of the Board’s evaluation from December 1, 2021, to November 1, 2021, and in Section V.A to change the date for resignation from the School Board to Wednesday, June 2, 2021.

Commissioner Van Ostenbridge agreed to the motion as recommended by Mr. Clague, and the motion was seconded by Commissioner Whitmore. The motion carried 5-2, with Commissioners Bellamy and Kruse voting nay. BC20210525DOC009

**RECESS/RECONVENE:** 12:24 p.m.– 1:30 p.m. All Commissioners present.

**CONSENT AGENDA**

**3. Citizen Comments (Consent Agenda Items)**

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

**MOTION/CONSENT AGENDA**

A motion was made by Commissioner Servia, seconded by Commissioner Kruse, and carried 7-0, to approve the Consent Agenda, with the changes incorporated in the Agenda Update Memorandum.

**5. CLERKS CONSENT AGENDA**

BC20210525DOC010

**A. WARRANT LISTING**

Accept the Warrant (Check) Listing for the Month of April 2021 , as issued by the Finance Department

BC20210525DOC011

**B. REFUNDS**

Approve the following Refunds:

- 1. James Corbett – COBRA subsidy, \$1,489.23 BC20210525DOC012
- 2. Land Experts, Inc – Pre-Meeting Discount, \$20,500 BC20210525DOC013
- 3. Lennar Homes LLC – Transportation Impact Fees, \$1,005,416 BC20210525DOC014
- 4. William Manful – Impact Fee Refund, Livable Manatee, \$11,574 BC20210525DOC015
- 5. Neal Communities of SW Florida LLC – Public Hearings, \$17,000 BC20210525DOC016
- 6. Timothy Nowak – COBRA Subsidy, \$2,096.92 BC20210525DOC017
- 7. Saints Peter and Paul Apostles – Billing Adjustment, \$4,325.58q BC20210525DOC018
- 8. John Taylor – Pre-Application, \$1,500 BC20210525DOC019
- 9. University Groves Residences LLC – Water and Sewer Facility Investment Fees, \$102,240 BC20210525DOC020

**C. REPORTS**

Accept the following Reports:

1. Forest Creek Community Development District (CDD) – Annual Financial Audit Report for FY ended September 30, 2020 BC20210525DOC021
2. Harrison Ranch CDD - Annual Financial Audit Report for FY ended September 30, 2020 BC20210525DOC022
3. Heritage Harbour South CDD - Annual Financial Audit Report for FY ended September 30, 2020 BC20210525DOC023
4. Palma Sola Trace CDD - Annual Financial Audit Report for FY ended September 30, 2020 BC20210525DOC024
5. Southwest Florida Water Management District – Comprehensive Annual Financial Audit Report for FY ended September 30, 2020 BC20210525DOC025

D. **SCRIVENER’S ERROR**

Accepted correction Budget Amendment B-21-067/8 approved by the Board on April 2021 inadvertently reflected reference number BU12000237. The correct reference number is BU21000237 BC20210525DOC026

E. **SHERIFF BOND**

Accept the list of 15 additional employees to the Sheriff’s Public Employee Bond BC20210525DOC027

6. **COUNTY ATTORNEY/APPLICATION FOR TAX DEEDS**

Executed the Notice to Proceed with Application for Tax Deeds for the four (4) properties identified by the Tax Collector in compliance with Rule 12D-13.060(2) Florida Administrative Code; and authorization for the payment of \$3,300.00 for the associated tax deed application fees in compliance with Section 197.502(3), Florida Statutes BC20210525DOC028

7. **COUNTY ATTORNEY/INSURANCE**

- Approved staff’s recommended settlement counteroffer for the sum of \$156,000 for business damages to El Perico, Inc., d/b/a Country Deli Store (El Perico) as a result of the taking of Parcels 130 and 130.03 in furtherance of the Moccasin Wallow Road Improvement Project, from U. S. Highway 41 North to Gateway Boulevard; and
- Authorized the County Attorney or his designee to convey to El Perico a binding counteroffer of \$156,000 in response to the business damage claim received and to authorize the County Attorney or his designee to execute all other necessary paperwork on behalf of the County to finalize resolving the business damage claim for \$156,000 with El Perico without further action by the Board BC20210525DOC029

8. **COUNTY ATTORNEY INSURANCE**

Approved the renewal of ten (10) flood insurance policies for a total cost of \$153,779.00 as per the attached proposal from First Florida Insurance Brokers, and to authorize the County Attorney, or his designee, to execute all related documents BC20210525DOC030

9. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/CUZINS VEHICLE STORAGE**

Executed and authorized recording of Final Subdivision Plat BC20210525DOC031

10. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/NORTH RIVER RANCH, IC AND ID-WEST**

- Executed and Authorized Recording Final Subdivision Plat;
- Authorized recording of the Supplemental Declaration of Covenants, Conditions and Restrictions for North River Ranch, Phases IC & ID - West;
- Accepted, Executed, and authorized recording of the Mortgagee's Joinder and Consent of the Fieldstone Community Development District to (I) the plat for North River Ranch, Phases IC & ID – West, and (II) the Supplemental Declaration of Covenants, Conditions and Restrictions for North River Ranch to add North River Ranch Phases, IC & ID – West, and to all dedications, easements and reservations thereon;

- Authorized the County Administrator to accept, execute, and record Agreement for Public Subdivision with Public Improvements, North River Ranch Phases IC & ID – West from Lansdowne Partners Group, LLC fka Neal Land Development LLC;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, North River Ranch Phases IC & ID – West, Surety Bond CS3250213, \$4,700,162.77;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, North River Ranch Phases IC & ID – West, Surety Bond CS3250212, \$127,382.99;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, North River Ranch Phases IC & ID – West, Surety Bond CS3250210, \$4,642,698.65;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, North River Ranch Phases IC & ID – West, Surety Bond CS3250209, \$57,051.32;
- Authorized the County Administrator to accept, execute, and record Agreement for Subdivision with Non-County Improvements, North River Ranch Phases IC & ID – West from Lansdowne Partners Group, LLC fka Neal Land Development LLC;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, North River Ranch Phases IC & ID – West, Surety Bond CS3250211, \$121,601.58;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, North River Ranch Phases IC & ID – West, Surety Bond CS3250214, \$793,396.50;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, North River Ranch Phases IC & ID – West, Surety Bond CS3250215, \$283,335.00;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, North River Ranch Phases IC & ID – West, Surety Bond CS3250208, \$59,857.20
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, North River Ranch Phases IC & ID – West, Surety Bond CS3250216, \$250,477.50; and
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, North River Ranch Phases IC & ID – West, Surety Bond CS3250217, issued through \$94,965.00

BC20210525DOC032

**11. BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/Trevesta**

- Executed and authorized recording of Final Subdivision Plat;
- Authorized the County Administrator to Accept, Execute, and Record Agreement for Private Subdivision with Public Improvements, Trevesta Phase IIIB;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Trevesta Phase IIIB, Surety Bond 1085589, \$314,385.50;
- Authorized the County Administrator to Accept, Execute, and Record Agreement for Private Subdivision with Private Improvements, Trevesta Phase IIIB;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Trevesta Phase IIIB, Surety Bond 1085591, \$2,216,866.99;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Trevesta Phase IIIB, Surety Bond 1085590, \$46,650.50


BC20210525DOC033


17. **FINANCIAL MANAGEMENT/BUDGET AMENDMENT**  
Adopted Budget Amendment Resolution B-21-078 BC20210525DOC034
18. **FINANCIAL MANAGEMENT/AGREEMENT**  
Authorized Procurement Official, or designee, to execute Amendment 1 to Blanket Purchase Order Agreement P2021018 for Security Guard Services with Universal Protection Service LLC d/b/a Allied Universal Security Services LLC BC20210525DOC035
19. **NEIGHBORHOOD SERVICES/AGREEMENT**  
Executed an Interlocal Agreement regarding Library Data Sharing between the School Board of Manatee County and the Manatee County Public Library System through the use of school identification as a public library card BC20210525DOC036
20. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Permanent Utilities Easement from University Groves Residences LLC (includes Consent and Joinder from Pinnacle Bank and Consent and Joinder from Town Center at University Groves Master Land Condominium Association, Inc), for property located near University Parkway and Broadway Avenue; and
  - Authorized recording of Affidavit of Ownership and Encumbrances from Robert B. Crumpton III, as the manager of LIV University Groves, LLC, as manager of LIV University Groves Partners LLC, as manager of UGR Holdings LLC, and manager of University Groves Residences LLC BC20210525DOC037
21. **PROPERTY MANAGEMENT/DEEDS**  
Accepted previously recorded Quit-Claim Deed from Manatee Joint Venture, a Florida general partnership, to Manatee County for a portion of a parcel located at the intersection of 99th Street East and Clubhouse Drive BC20210525DOC038
22. **PROPERTY MANAGEMENT/CONTRACT**  
Executed Contract for Sale and Purchase and Contract for Sale and Purchase for a Temporary Easement from Brianna Marie Koperna and Stephen Thomas Koperna, II, a married couple, for Parcels 138 and 138.03/Moccasin Wallow Road - U.S. 41 to Gateway Bouleford, CIP Project 6092560 BC20210525DOC039
23. **PROPERTY MANAGEMENT/AGREEMENT**  
Executed Subordination of County Utility Interests Agreement for Parcel 156.3 (also known as Parcel 156), which is located within the boundaries of FDOT Financial Project 433592-1-52-01 (FPID 4335921)/U.S. 41 (S.R. 45) Sidewalk Improvement Project BC20210525DOC040
24. **PROPERTY MANAGEMENT/AGREEMENT**
- Executed Easement Agreement between Florida Power and Light and Manatee County for a sidewalk and utilities easement along Erie Road between 69th street East and For Hamer Road, Parrish
  - Authorized the County Administrator, Acting County Administrator, or Interim County Administrator, with the concurrence of the County Attorney, to execute amendments to the Easement Agreement as contemplated and described in paragraph two (2) of the Easement Agreement
  - Authorized the Clerk of the Circuit Court to pay Florida Power & Light Invoice Number 1800245714 BC20210525DOC041

(End Consent Agenda)



13. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT**

 Commissioner Whitmore reviewed the particulars of the case and expressed concern that the contractor did not pull a permit, and suggested the fine be the filing fees only.

 Jeff Bowman, Code Enforcement Chief, was available for questions.

 A motion was made by Commissioner Whitmore and seconded by Commissioner Kruse to reduce the fines for Case CE2017040485, Pierre Daniel Cidera, to \$28.50 in recording fees.

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

The motion carried 7-0.

BC20210525DOC042


14. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT**


Commissioner Whitmore stated the contractor did not obtain a building permit, and the homeowner was not aware.

A motion was made by Commissioner Whitmore and seconded by Commissioner Kruse to reduce the fines for Case CE2017040135, Julia Therese Schemel, to the recording fees of \$28.50.


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

The motion carried 7-0.

 Discussion ensued regarding a potential change to the Code to allow for citing the responsible contractor rather than the property owner, a Code Enforcement work session is planned, and direct Code Enforcement staff to come back with a proposal for an amnesty schedule.


 Dr. Hopes explained staff followed the current policies, but changes could come forward for a review.


 John Barnott, Building and Development Services Director, responded to the age of the cases.

 Jeff Bowman, Code Enforcement Chief, noted under current policy, only the Board can reduce fines for a case, but staff is looking at other options and ways to implement changes.

BC20210525DOC043

15. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT**

 A motion was made by Commission Whitmore and seconded by Commissioner Bellamy to reduce the fines for Case 2001060076, Robin H. Sieger, to the recording fees of \$48.

 Glen Gibellina addressed liens passed on to new homeowners, and suggested the banks foreclosing on properties pay the liens prior to a closing. The Special Magistrate has to follow the requirements of the Code.

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

Mr. Bowman explained the process for notifying property owners of Code violations. He


stated respondents are notified via certified mail and the property is posted.

Discussion ensued that respondents should be present at the meetings if the cases are pulled from the Consent agenda.

The motion carried 7-0.

BC20210525DOC044

16. **BUILDING AND DEVELOPMENT SERVICES/CODE ENFORCEMENT**

 A motion was made by Commissioner Whitmore and seconded by Commissioner Servia to reduce the fines for Case CE2007040283, Robin H. Sieger, to the recording fees of \$20.


Discussion ensued regarding supporting the Code Enforcement division.

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

The motion carried 7-0.

BC20210525DOC045

25. **ADMINISTRATOR/VALUE ADJUSTMENT BOARD**

 Vicki Tessmer, Board Records Supervisor, reviewed the process for selecting members to the Value Adjustment Board (VAB).

Nominations: Citizen Member

Peter DeAngelis by Commissioner Whitmore

A motion was made by Commissioner Kruse, seconded by Chairman Baugh, and carried 7-0 to appoint Peter DeAngelis as the Citizen member of the VAB.

Nominations: Board Members

Commissioner Servia by Commissioner Van Ostenbridge

Commissioner Van Ostenbridge by Commissioner Kruse

Commissioner Kruse (as alternate) by Commissioner Whitmore


A motion was made by Commissioner Servia, seconded by Commissioner Whitmore and carried 7-0, to appoint Commissioners Servia, Van Ostenbridge, and Kruse (alternate) to the VAB.


A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Kruse, and carried 7-0, to appoint Commissioner Servia as Chairman of the VAB. ` BC20210525DOC046


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

26. **PROPERTY MANAGEMENT/RESOLUTION**


A duly advertised public hearing was held to consider adoption of proposed Resolution R-20-058 vacating a portion of platted right-of-way in Block 2 of the Winter Gardens Subdivision Plat.


 Maggie Gaughn, Real Property Specialist, summarized the request and recommended denial of the vacation due to concerns of Public Works staff.


 Nelson Galiano, Transportation Planning Division Manager, displayed maps in the staff report and reviewed staff's concerns with regard to a decrease in safety conditions for students walking to Harllee Middle School.


 Nicholas Thull, property owner, outlined the reasoning for the request and noted there is still 20 feet for children to bicycle through the area.

There being no public comments, Chairman Baugh closed the public hearing.

 Discussion ensued regarding permits for the garage/shed constructed on the property.


 Ms. Gaughn clarified Property Management did not reach out to the property owner regarding the vacation.


 Linda Thull, owner, stated they asked for a permit for the garage, and then they were contacted by Charles Meader in Property Management.


 Discussion ensued regarding the amount of pedestrian traffic, and two separate subdivisions backing up to the property in question.

 Ms. Gaughan explained the permit for the garage has not been obtained.

 Mr. Thull discussed the placement of the garage in the easement.

 Pamela Di'Agostino, Assistant County Attorney, responded that the vacation would be legally appropriate no matter the Board's decision. She pointed out on the aerial that the application is asking for the western 25 feet. Half of a right-of-way can be vacated.


 Dr. Scott Hopes, County Administrator, responded that Harllee Middle School is being used as a special use facility, but it is able to be used as school. He is hesitant to do anything at the end of the path.

 Discussion continued concerning the other half of the right-of-way, there is no plat to build a road on this right-of-way, setbacks, and location of the structure.


#### Motion

A motion was made by Commissioner Satcher to vacate 15 feet of right of way and maintain the other 10 feet and pay for an additional survey.

William Clague, County Attorney, expressed concern that an updated survey is needed at the time of the vacation.

 Ms. Di'Agostino, stated the only way the vacation could be done today would be if the motion referenced the western most 15 feet of the legal description and sketch. This is not ideal.

Motion – Rescinded/Restated


 Commissioner Satcher rescinded his original motion, and made a motion to adopt Resolution R-21-058 vacating a portion of platted right-of-way in Block 2 of the Winter Gardens Subdivision Plat. The motion was seconded by Commissioner Kruse.

Discussion ensued regarding there is no need for a road, and kids can get to school safely.

Motion – Call the Question

A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Kruse, and carried 4-3, with Commissioners Bellamy, Servia, and Whitmore voting nay to call the question.

The motion carried 7-0 to adopt Resolution R-31-058.

 Joy Legget-Murphy, Property Acquisition Manager, explained there was an open code enforcement issue with the shed, which resulted in the suggestion of a vacation.

BC20210525DOC047

27. PROPERTY MANAGEMENT/RESOLUTION

A duly advertised public hearing was opened to consider adoption of proposed Resolution R-21-046, vacating Lot “M” and Portions of Lot “L” of the C.B. Norton’s subdivision. The hearing is to be continued and readvertised.

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


A motion was made by Commissioner Servia, seconded by Commissioner Kruse, and carried 7-0 to continue the public hearing for Resolution R-21-046 to no date set and to be readvertised.

BC20210525DOC048

28. PROPERTY MANAGEMENT/RESOLUTION


A duly advertised public hearing was opened to consider adoption of proposed Resolution R-21-053 vacating a portion of platted right-of-way at 18900 State Road 64 East as recorded in the Plat of the Waterbury Grapefruit Tracts. The public hearing is to be continued and readvertised.

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

 A motion was made by Commissioner Servia, seconded by Commissioner Kruse, and carried 7-0 to continue the public hearing for Resolution R-21-053 to no date set and to be readvertised.

BC20210525DOC049


29. COUNTY ADMINISTRATOR/AMERICAN RESCUE PLAN


 Karen Stewart, Deputy County Administrator, used a slide presentation to review the American Rescue Plan, and explained there were two calls with Ernst and Young with the School Board and the cities listening in. Directors have been asked to identify projects and these will be sent to Ernst and Young to see if they will be eligible. The federal allocation is based on population, and the County will receive \$78 million. The County has 60 days for a comment period. The rules may change or could be amended, so they will need flexibility. States are not able to place additional conditions and may not impose stricter limitations. Funds can be used on costs since March 3, and funds are obligated until December 31, 2024. The Grant performance ends Dec 30, 2026. Costs can be used for public health, negative economic impacts, equity-focused services, broadband infrastructure, and premium pay for

essential workers. Ms. Stewart addressed ineligible costs, partnerships and collaboration, and the next steps.


 Discussion ensued regarding broadband infrastructure and grants for internet assistance.

A motion was made by Commissioner Servia, and seconded by Commissioner Whitmore to authorize the County Administrator to execute documents related to the U.S. Department of Treasury Coronavirus Local Fiscal Recovery Fund Award Terms and Conditions (American Rescue Plan 2021) and for the County to opt-in to receive funds from the U.S. Treasury. Discussion ensued regarding that the Rapid assessment will be complete in the six-week period, and will be available in August for the work session, ensure citizens know how where they can access internet if they do not have it, and making sure parks and preserves are connected.

 John Banks suggested using funding to upgrade water meters.

 Glen Gibellina questioned if the ALICE population would be eligible for the internet service.

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

 Ms. Stewart responded that citizens would need to apply for assistance. Information will be given to non-profits who work with the ALICE population, and Spectrum has a program in place to provide internet to income qualified residents.

 The motion carried 7-0.

BC20210525DOC050

30. **COUNTY ADMINISTRATOR/DEPUTY COUNTY ADMINISTRATOR**

Dr. Scott Hopes, County Administrator, stated this item will be deferred to June 8 to give the commissioners a chance to meet the candidate. A national search was performed, and there were several applicants. He worked with Human Resources regarding one way interviews, and then he interviewed five candidates. The candidate selected is familiar with Florida, and Dr. Hopes worked with him in the past.


A motion was made by Commissioner Whitmore and seconded by Chairman Baugh, to defer the confirmation of a Deputy County Administrator to June 8, 2021

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

The motion carried 7-0.

BC20210525DOC051

32. **FINANCIAL MANAGEMENT/RESOLUTION**

 Dr. Scott Hopes, County Administrator, requested this item be deferred to June 8, to allow the School Board to consider a new resolution that will come back to the County Commission.

 Glen Gibellina provided voter statistics and spoke against special elections.

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

 Discussion ensued regarding agendas.

No action was needed since the item was deferred to June 8, 2021.

BC20210525DOC052

33. **CLERK OF CIRCUIT COURT/FLORIDA MARITIME MUSEUM**

Michael Gallen, General Council, Clerk of the Circuit Court, advised the Florida Maritime Museum agreement is ready to bring to the Board for consideration and asked that it be placed on the June 8 agenda. He confirmed the funding is available.

Pheadra Dolan, Historical Resources Director, Clerk of the Circuit Court, stated the Clerk cannot own property and the property was purchased through the Florida Communities Trust Act. Staff was doing work for the non-profit, and the new agreement will separate those duties. They have worked with Property Management regarding maintenance issues.



William Clague, County Attorney, clarified the agreements were brought up to date, as to who is responsible for what, and taking into consideration insurance for the non-profits, which brings the agreements up to standards. The building falls into the self-insurance fund, and the county inspects the buildings. He responded that the Court House is a County building, as required by Florida Statute.

BC20210525DOC053

34. **COUNTY ADMINISTRATOR/DASHBOARD REPORT**

This report is available on the Manatee County web site at

<http://www.mymanatee.org/reports> and is provided for information only. No Board action is requested.

BC20210525DOC054

**COMMISSIONER AGENDA ITEMS**

35. **COMMUNITY-WIDE EVENT FOR HOMELESS SERVICES** (Commissioner Kruse)



Commissioner Kruse suggested an annual event for the homeless, near homeless, and the ALICE community near a central transit line, where non-profits, and other entities who assist with housing and other services are available in one place to provide information to those in need.

Discussion ensued regarding smaller groups who provide assistance should also be invited, Stand Down for Veterans, housing provided for the homeless helps them to re-establish themselves, this would be a County-wide event for all those in need, Sheriff working with private individuals for a short term place for housing for the homeless, and transitional housing.

BC20210525DOC055

36. **COMPATIBILITY BETWEEN LIGHT MANUFACTURING AND RESIDENTIAL** (Commissioner Servia)



Commissioner Servia commented on the compatibility of light manufacturing use adjacent to residential areas.

A motion was made by Commissioner Servia and seconded by Commissioner Van Ostenbridge to have staff review the Land Development Code for any inconsistencies that may result in incompatibilities between light industrial and residential.

Discussion ensued regarding light manufacturing being next to residential can be problematic.




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


The motion carried 7-0.


BC20210525DOC056


37. **BEACH PARKING ON HOLMES BEACH** (Commissioner Van Ostenbridge)


Commissioner Van Ostenbridge stated more than 2,000 parking spaces were eliminated in the City of Holmes Beach, with only about 900 reinstated. He asked for authorization to send a letter to the City Mayor and Commission, asking them to reconsider their position to not re-open the parking spaces.

 Discussion ensued regarding the services provided by the County to the City of Holmes Beach including profits from the beach concessions, beach renourishment, emergency services, and the tennis courts, stress on infrastructure, the City Commission has the power to vote, issue permits for parking in Holmes Beach, there is no parking from the Gulf of Mexico to Marina Drive, there are parking enforcement issues in general in the City of Holmes Beach, cannot regulate bad behavior, Love it Like a Local campaign, looking for a compromise, valet parking, add requesting a meeting to the letter, Commissioner Van Ostenbridge will reach out to the Mayor, ask everyone to take personal feelings out of the discussion, Police Chief represents public safety in City of Holmes Beach, comments from Mayor Titsworth regarding traffic congestion in the City of Holmes Beach, a parking garage would be a benefit, have a limited time to open parking spaces to give time to reach a more permanent solution, and Tourist Development Council funds could be used for additional trash pick-up.

 William Clague, County Attorney, referenced Florida Statute regarding beach front park maintenance.

 Discussion continued regarding the Chief of Police is in charge of traffic in the City of Holmes Beach, County Attorney cannot opine on what the City of Holmes Beach is allowed to do, parking restrictions can hurt businesses, Monkey Bus is an alternate form of transportation, and plea to the Mayor to work with Commissioner Van Ostenbridge.

 A motion was made by Commissioner Van Ostenbridge and seconded by Commissioner Bellamy to authorize the Chairman to execute a letter on behalf of the Board and send to Mayor Titsworth and the City Commission.

 Andra Griffin questioned the reasons for eliminating the spaces.

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

The motion carried 7-0.

BC20210525DOC057

**COMMISSIONER COMMENTS**

Commissioners congratulated Dr. Hopes on being hired as County Administrator.

 Commissioner Whitmore

- Requested staff ask the Health Department if they would consider, when taking water samples in Palma Sola Bay, that they do so on both the north and south sides of the bay

Dr. Scott Hopes, County Administrator, stated staff will verify that samples are being taken on both sides of the bay.

- Noted the first meeting of the Animal Cruelty Task Force was held recently

Commissioner Van Ostenbridge

- Announced the animal vaccine clinic held in District 3 this past weekend was a success

Commissioner Bellamy

- Acknowledged this is the one year anniversary of George Floyd's death

Commissioner Kruse

- Announced an event being held this Saturday from 11:00 a.m. to 7:00 p.m. at the Loaded Cannon in support of first responders

Commissioner Servia

- Thanked Mike Gore, Utilities Director, for a recent Utilities Tour
- Noted the Metropolitan Planning Organization met this past Monday, and discussions included the Cortez Bridge design. She forwarded a summary of discussions to the Commissioners
- Announced a pet vaccination clinic will take place in District 4 on June 19

Commissioner Satcher

- In light of the upcoming Memorial Day holiday, Commissioner Satcher paid his respects to Kris and Wendy Hager

ADJOURN

There being no further business, Chairman Baugh adjourned the meeting at 4:45 p.m.

Minutes Approved: July 27, 2021