

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COUNTY ADMINISTRATION BUILDING; HONORABLE PATRICIA M. GLASS CHAMBERS
1112 Manatee Avenue West
Bradenton, Florida
September 14, 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, County Administrator
William A. Clague, County Attorney
Robin Toth, Deputy Clerk, Clerk of the Circuit Court



Chairman Baugh called the meeting to order at 8:32 a.m.

INVOCATION AND PLEDGE OF ALLEGIANCE



The Invocation was delivered by Commissioner Satcher, followed by the Pledge of Allegiance led by Veteran Donald L. Courtney, Chief Warrant Officer 4 (Retired), U.S. Army



A moment of silence was observed for U.S. Service Members killed in the Kabul Airport Attack.

REVISED AGENDA 

BC20210914DOC001

Agenda Update Memorandum

BC20210914DOC002

Public Comments

Written comments submitted through the online Public Comment form were added to:

- Citizen Comments (Consideration for Future Agenda Items)

Changes to the Consent Agenda

- Item 12, Final Plat and Associated Documents for Summerwoods, Phases IIIA and IVA – The requested action was updated to include: Acceptance, Execution and Recording of the Mortgagee’s Joinder from Western Alliance Bank”
- Item 30, Permanent Utilities Easement and Permanent Sidewalk Easement from 63 Manatee LLC, for property located at 1515 63 Avenue East, Bradenton, FL, 34203 (District 4) – Deleted from the agenda BC20210914DOC003
- Item 37, Resolution R-21-150, Authorizing the Conveyance of Right-of-Way and County Deed Conveying Right-of-way to Florida Department of Transportation for the Realignment of State Road 62 at U.S. 301 North in Parrish, Florida 34219 (District 1) – The requested action was updated to read:
 - Adopt Resolution R-21-150; and
 - Execute County Deed to State of Florida Department of Transportation
- Item 38, Notice of Termination of a License Agreement between Florida Sheriffs Youth Ranches, Inc., and Manatee County for property located at 751 Rye Wilderness Trail, Parrish, Florida 34219, District 1 – Deferred to the October 26 meeting BC20210914DOC004
- Item 42, Adoption of Resolution R-21-110 Approving a Limited Access Agreement and Release of Claims Form for the Bradenton Beach Gravity Sewer Replacement Project – A location map was added to this agenda item

Changes to Regular Agenda

- Item 50, Appointment of Six Applicants to the Children’s Services Advisory Board – Deferred to the September 28 meeting BC20210914DOC005

Additions to Consent Agenda

- Item 57, Letter of Non-opposition for Skyway Bridge 10K Charity Run Sponsored by the Armed Forces Families Foundation – Requested Action: Authorization for the Chairperson to execute a letter of non-opposition to the Florida Department of Transportation (FDOT) for a proposed 10K charity run across the Skyway Bridge on March 6, 2022, sponsored by the Armed Forces Families Foundation
- Item 58, Subordination of County Utility Interests to subordinate the County’s Utility Interests to the Florida Department of Transportation (FDOT) for Parcel 503.1 (also known as Parcel 503), located along U.S. 41 North – U.S. 301 – Requested Action: Execute Subordination of County Utility Interests for Parcel **503.3** (also known at Parcel 503)

Addition to Commissioner Agenda

- Item 59, Approval of letter to the Florida Attorney General in favor of a county ordinance creating a “safe haven” for the unborn in Manatee County, Florida, and direct the County Attorney to request a formal advisory opinion from the Florida Attorney General addressing whether the County is preempted under Florida Law from adopting an ordinance regulating abortion – Requested Action: I move to approve the letter to the Florida Attorney General in the form submitted into the record, and to direct the County Attorney to request a formal advisory opinion from the Florida Attorney General addressing whether the County is preempted under Florida Law from adopting an ordinance regulating abortion.

ANNOUNCEMENTS







Time Certain: 9:15 a.m. – Item 54, followed by Item 55:

- Item 54, Ordinance 21-35, Dissolving the Myakka City Fire Control District and Transferring its Powers to the East Manatee Fire Rescue District; and
- Item 55, Interlocal Agreement regarding the merger of the Myakka City Fire Control District and the East Manatee Fire Rescue District

PROCLAMATIONS

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


AWARDS

1.  Certificate of Recognition to Alicia Vernon, in honor of her many contributions to our community, was accepted by Steve Vernon, her husband. BC20210914DOC006
2.  September Employee of the Month Award was presented to George Earnest, Buyer, Financial Management Department BC20210914DOC007
3.  Virginia Maddox Day, September 10, 2021, in commemoration of her 100th birthday, was read into the record by Commissioner Bellamy BC20210914DOC008
4.  75th Anniversary of the Boys and Girls Clubs of Manatee County, was accepted by a representative of the Boys and Girls Clubs BC20210914DOC009
5.  Metastatic Breast Cancer Awareness Day, October 13, 2021, was accepted by Susan Harrigan and Sheila Godreau BC20210914DOC010
6.  Women in Leadership Day at the State College of Florida, Manatee-Sarasota, September 28, 2021, was read into the record by Commissioner Servia BC20210914DOC011


(Further Proclamation presented later in the meeting)

ADVERTISED PUBLIC HEARINGS (Presentations Upon Request)


54. **ORDINANCE 21-35, DISSOLVING THE MYAKKA CITY FIRE CONTROL DISTRICT**

 A duly advertised public hearing was held to consider adoption of Ordinance 21-35, dissolving the Myakka City Fire Control District of Manatee County and transferring its Powers to the East Manatee Fire Rescue District.


Jacob Saur, Public Safety Director, reviewed the request for adoption of Ordinance 21-35.

 William A. Clague, County Attorney, read the request into the record and stated the public hearing must be opened and public comment received before action is taken.


(Gavel passed to First Vice-Chairman Kruse; presiding)

 By telephone, Andra Griffin spoke in support of Ordinance 21-35 and requested acknowledgement be given to Bobbie Maddox, contributing founder of the Myakka Fire Control District (7/17/86).


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


 A motion was made by Chairman Baugh and seconded by Commissioner Whitmore, to adopt Ordinance 21-35. The motion carried 7-0. BC20210914DOC012


55. **PUBLIC SAFETY/INTERLOCAL AGREEMENT/MERGER OF MYAKKA CITY FIRE CONTROL DISTRICT AND EAST MANATEE FIRE RESCUE DISTRICT**

 William A. Clague, County Attorney, stated this Interlocal Agreement provides for the merger of the Myakka City Fire Control District and the East Manatee Fire Rescue District of Manatee County, and formalizes the orderly transfer of all assets, liabilities, fees, and interests from the Myakka City Fire Control District to the East Manatee Fire Rescue District upon the effective date of Ordinance 21-35.

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

 A motion was made by Chairman Baugh, to authorize execution of the Interlocal Agreement to merge the Myakka City Fire Control District and the East Manatee Fire Rescue District of Manatee County. The motion was seconded by Commissioner Satcher and carried 7-0.


 Senator Jim Boyd thanked everyone for their hard work to accomplish this merger.

 Charlie Matson, Commission Chairman, Myakka City Fire Control District, thanked the Commissioners for their support and guidance through the years.

 Chief Lee Whitehurst, East Manatee Fire Rescue District, spoke about upcoming work to design and build a new fire station in downtown Myakka.

 Chief Daniel Cacchiotti, Myakka City Fire Control District, presented Chief Whitehurst with the proverbial key to the District. BC20210914DOC013

PROCLAMATION - MYAKKA CITY FIRE WEEK


 A motion was made by Commissioner Satcher, seconded by Commissioner Whitmore and carried 7-0, to adopt a Proclamation declaring September 26 through October 2, 2021, as Myakka City Fire Week.


RECESS/RECONVENE: 9:44 a.m. – 9:52 a.m. All Commissioners were present.
(Gavel returned to Chairman Baugh; presiding)


CONSENT AGENDA - COMMISSIONER REQUESTS 


There were no Consent Agenda Items pulled by Commissioners.

CITIZEN COMMENTS (Future Agenda Items) 


 Divina Maruca (submitted information), Glen Gibellina (submitted information) and Lisa Driscoll expressed concerns with the affordable housing process and funding going to the Community Solutions 360 not-for-profit organization.


 Stella Burnett commented on the lack of a streetlight at 51st Avenue and 15th Street East, and the death of a person crossing the street at that location. She also spoke about issues with stormwater retention/flooding in the Oneco area, and asked about anticipated improvements to the John Marble Park.


 Gregory Lantz submitted a list of north County roads needing improvements and asked the County to look into making improvements to the suggested list of roads, as well as the construction of another bridge over the Manatee River. He also thanked Public Works staff for following up on requests he has made to them.

 By telephone, Lori Curley commented on the need for an east County animal shelter.


 By telephone, Julie Perry spoke in support of current and future public libraries.


 By telephone, May Stokes commented on Commissioners' attention to public comments during meetings, questioned if the Board has authority to update the Oath of Office, requested the definition of Sanctuary Cities for the Unborn and adding non-partisan verbiage in the Oath of Office. She was advised this topic must be addressed during the agenda item.


 By telephone, Andra Griffin commented on the status of the Medieval fairground property and funding going to Community Solutions 360.

 By telephone, Carol Felts commented on the importance of following up with citizens, who express concerns to the Board.


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


 Discussion ensued that affordable housing concerns are being investigated, affordable housing funds being discussed are from the U.S. Department of Housing and Urban Development (HUD), there are federal rules for spending HUD Funds, the County is currently working with two non-profit agencies on affordable housing (Trinity Without Borders, Inc., and Community Solutions 360), efforts are underway to clean rights-of-way and medians, there has been an aggressive push to build roads in north County, and the Board needs to take more ownership with affordable housing.

 Commissioner Whitmore asked Dr. Hopes why the affordable housing duplex project on 57th Avenue was halted.

 Dr. Hopes stated staff has been working diligently on the affordable housing process, there is now a solid inventory of surplus properties that can be made available. Staff is looking into how zoning changes can be expedited before properties are put to surplus so they can be used for affordable housing. A work session is scheduled in October to go over the recommended processes and procedures in order to accelerate those efforts. He stated he would research and respond to Commissioner Whitmore’s request.

 Commissioner Kruse concurred with comments by Dr. Hopes.

 Discussion ensued that the Buffalo Road link is in the 69th Avenue East Project, traffic signalization at 69th and Mendoza at Buffalo Road are included in the budget information for tonight’s budget meeting, the need to strike a balance, the public holds an important role in the involvement of setting and creating policy, the Board has approved the largest transportation bill that has ever been done in Manatee County, traffic congestion is Manatee County’s top priority, not every road will be done immediately, the Board is being more transparent, the process for roads and stormwater is slow but is it procedural, ask staff to give Commissioners a timeline on projects to share with constituents, need to keep in mind that all Commissioners have needed improvements in their districts, and the Board needs to take ownership of affordable housing projects once the budget is approved.

 William A. Clague, County Attorney, advised that the Board does not have the authority to change the Oath of Office.

BC20210914DOC015


CITIZEN COMMENTS (Consent Agenda Items Only)

 Glen Gibellina commented on the Clerk’s Consent Agenda, specifically the legal fees for the Housing Finance Authority attorney and the Sadowski Education Fund in the breakdown of expenditures in the Housing Finance Authority Report.

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

BC20210914DOC016

CONSENT AGENDA MOTION

 A motion was made by Commissioner Member Van Ostenbridge, seconded by Commissioner Kruse, and carried 7-0, to approve the Consent Agenda, with the changes incorporated in the Agenda Update Memorandum, with deletion of Item 30 and Item 38 (deferred to 10/26/21).

7. **CLERKS CONSENT AGENDA**

BC20210914DOC017

A. **MINUTES**

Approved the Minutes of June 16, July 29, and August 3, 2021

B. **REFUNDS**

Approved:

- 1. Timothy Hubbard – Medical Premiums, \$2,412.16

BC20210914DOC018

C. **REPORTS**

Accepted:

- 1. Housing Finance Authority – FY 21/22 Budget
- 2. Parrish Fire District – FY 21/22 Adopted Budget

BC20210914DOC019

BC20210914DOC020

D. BONDS

Accepted:

Del Webb at Bayview, Phase I, Subphase B1

- Released and returned Surety Bond (Performance) SUR0067867 and any associated amendments in conjunction with the Agreement for Private Subdivision Improvements, \$1,912,284.80;
- Released and returned Surety Bond (Performance) SUR0067869 and any associated amendments in conjunction with the Agreement for Private Subdivision Improvements, \$1,685,627.68;
- Accepted and executed Surety Bond (Defect) SUR0067873 securing Section 1.5 “Maintenance, Defects” of the Agreement for Public Subdivision Improvements accepted by the Board of County Commissioners on February 9, 2021, securing water, wastewater, offsite and reclaim improvements, \$147,098.83; and
- Accepted and executed Bill of Sale BC20210914DOC021

8. COUNTY ADMINISTRATOR/RESOLUTION

Adopted Resolution R-21-42, authorizing annual expenditures for major sponsorship of the 2021 Manatee County Fair, not to exceed \$10,000, to the Manatee County Fair Association (This resolution would apply for the next ten years, or until such time as the Board rescinds the resolution) BC20210914DOC022

9. COUNTY ATTORNEY/RESOLUTION

Adopted Resolution R-21-155, authorizing acquisition of property and commencement of eminent domain proceedings to acquire property for Moccasin Wallow Road, U.S. 41 to Gateway Boulevard, CIP Project 6092560 (correcting errors in the appraised values for Parcels 108, 109 and 110 [approved with Resolution R-21-146]) BC20210914DOC023

10. COUNTY ATTORNEY/RESOLUTION

Adopted Resolution R-21-156, authorizing the utilization of the provisions of Chapter 74, Florida Statutes, to take possession and title in advance of entry of final judgement for Moccasin Wallow Road, U.S. 41 to Gateway Boulevard, CIP Project 6092560 (**35 Parcels:** 102, 104, 104.03, 105, 106, 108, 109, 110, 111, 111.03A, 111.03B, 112, 120, 120.03, 130, 130.03, 137, 137.03A, 137.03B, 142A, 142B, 142.03A, 142.03B, 143, 143.03, 144, 144.03, 148, 148.03, 149, 149.03A, 149.03B, 150, 150.03, and 161) BC20210914DOC024

11. COUNTY ATTORNEY/SETTLEMENT AGREEMENT

- Approved the proposed Prelitigation Business Damage Claim Settlement Agreement with El Perico, Inc., regarding the Moccasin Wallow Road Improvement Project, from U.S. Highway 41 North to Gateway Boulevard (limited to business damages relative to fee simple title to Parcel 130 and certain temporary easement rights in Parcel 130.03) pursuant to Section 73.015, Florida Statutes, and authorized the Chairman, or Vice-Chairman, to execute the Agreement; and
- Authorized the County Attorney, or his designee, to accept, deliver and record deeds of conveyance and related documents on behalf of the County and take any other action on behalf of the County in accordance with the terms of the Agreement and to enforce the terms of the Agreement BC20210914DOC025

12. BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/SUMMERWOODS, PHASES IIIA AND IVA

- Executed and authorized recording of Final Subdivision Plat;
- Authorized recording of Seventh Amendment and Fourth Supplemental Declaration to Community Declaration for Summerwoods;

- Authorized the County Administrator to accept, execute and record Agreement for Public Subdivision with Public Improvements, Summerwoods-Phases IIIA and IVA, from VK Summerwoods LLC;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Summerwoods-Phase IIIA, Surety Bond LICX1209854, issued through Lexon Insurance Company, for \$1,981,842.45;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Summerwoods-Phase IIIA, Surety Bond LICX1209855, issued through Lexon Insurance Company, for \$80,267.72;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Summerwoods-Phase IVA, Surety Bond LICX1209853, issued through Lexon Insurance Company, for \$2,080,021.35;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Summerwoods-Phase IVA, Surety Bond LICX1209849, issued through Lexon Insurance Company, for \$66,402.05;
- Authorized the County Administrator to accept, execute and record Agreement for Public Subdivision with Private Improvements, Summerwoods-Phases IIIA and IVA, from VK Summerwoods LLC;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Summerwoods-Phase IIIA, Surety Bond LICX1209856, issued through Lexon Insurance Company, for \$1,159,482.29;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Summerwoods-Phase IIIA, Surety Bond 800125814, issued through Atlantic Specialty Insurance Company, for \$184,737.46;
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Summerwoods-Phase IVA, Surety Bond LICX1209848, issued through Lexon Insurance Company, for \$2,617,562.16; and
- Authorized the County Administrator to accept and execute Surety Bond for Performance of Required Improvements, Summerwoods-Phase IVA, Surety Bond 80025815, issued through Atlantic Specialty Insurance Company, for \$708,115.49

BC20210914DOC026

13. **BUILDING AND DEVELOPMENT SERVICES/FINAL PLAT/WOODLEAF HAMMOCK, A REPLAT OF A PORTION OF PHASE II**

- Executed and authorized recording of Final Subdivision Plat; and
- Authorized recording of Fifth Amendment to the Declaration of Covenants, Conditions and Restrictions for Woodleaf Hammock, a Replat of a Portion of Phase II

BC20210914DOC027

14. **CONVENTION AND VISITORS BUREAU/LICENSE AGREEMENT**

Authorized the Convention and Visitors Bureau Executive Director, or designee, to execute License Agreement 2021-0247 with Sarasota Manatee Metropolitan Planning Organization, for use of meeting space at the Bradenton Area Convention Center, to hold two meetings on September 27 and November 8, 2021 (This agreement does not conform with Rate Resolution R-15-106, as amended, in that the meetings are at no charge for facility rent, equipment and services)

BC20210914DOC028

15. **CONVENTION AND VISITORS BUREAU/LICENSE AGREEMENT**

Authorized the Convention and Visitors Bureau Executive Director, or designee, to execute License Agreement 2021-0254 with The Jazz Club of Sarasota, Inc., for the Sunset Jazz at the Crosley event, to be held October 27, 2021, at the Powel Crosley Estate, which conforms with Resolution R-97-88

BC20210914DOC029

16. **FINANCIAL MANAGEMENT/BUDGET RESOLUTION**
Adopted Budget Amendment Resolution B-21-115 and Budget Amendment Resolution B-21-118, for Infrastructure Sales Tax BC20210914DOC030
17. **FINANCIAL MANAGEMENT/AGREEMENT**
- Awarded and authorized execution of Agreement 21-R077339CD, for North County Central SCADA (Supervisory Control and Data Acquisition) Radio System Relocation with Data Flow Systems, Inc., for a total cost of \$209,616, based on a construction completion time of 180 calendar days; and
 - Authorized the Procurement Official, or designee, to execute Agreement 21-R077339CD, and accept and date the Public Construction Bond BC20210914DOC031
18. **FINANCIAL MANAGEMENT/AGREEMENT**
Authorized the Procurement Official, or designee, to execute Agreement 21-R076097SB, for Temporary Employment Services on an as-needed basis, for a wide variety of position types required by the County with 4 Best Business Corp., Abacus Staffing Corporation dba Abacus Corporation, Ad-Vance Personnel Services, Inc., dba Ad-Vance Talent Solutions; AUE Staffing, Inc., and Keystaff, Inc. BC20210914DOC032
19. **FINANCIAL MANAGEMENT/AGREEMENT**
Authorized the Procurement Official, or designee, to execute Agreement 21-R076506A,J for Professional Environmental Engineering Services on an as-needed basis, for County-approved projects, with Professional Services Industries, Inc., Terracon Consultants, Inc., Tierra, Inc., and Stantec Consulting Services, Inc. BC202120914DOC033
20. **FINANCIAL MANAGEMENT/AGREEMENT**
Authorized the Procurement Official, or designee, to execute Amendment 3 to Blanket Purchase Order Agreement P1701138, for HVAC Repair Services, up to 30 Tons, with Air Mechanical and Services Corp., for an estimated, annual not-to-exceed amount of \$95,000 BC20210914DOC034
21. **FINANCIAL MANAGEMENT/AGREEMENT**
Authorized the Procurement Official, or designee, to execute Amendment 7 to Agreement 16-2077EC, for Professional International Marketing and Public Relations in the United Kingdom, with Gosh PR Ltd., for an estimated, annual expenditure of \$142,737 BC20210914DOC035
22. **FINANCIAL MANAGEMENT/CHANGE ORDER**
Authorized the Procurement Official, or designee, to execute Change Order 2 to Agreement 19-TA003062AJ, for Southeast Water Reclamation Facility Return Activated Sludge/Waste Activated Sludge Upgrade and Plant Drain Pump Station Project, with Poole and Kent Company of Florida, adding an additional 36 calendar days to construction schedule, with no additional costs incurred BC20210914DOC036
23. **FINANCIAL MANAGEMENT/AGREEMENT**
Authorized the Procurement Official, or designee, to execute Change Order 2 to Work Assignment 59 to Agreement 16-2334CD, for Construction Phase Services for the Lake Manatee Water Treatment Plant Filter Upgrade Project, with Carollo Engineering, Inc., in the amount of \$590,850, for a revised, not-to-exceed amount of \$3,214,884 BC20210914DOC037

24. **FINANCIAL MANAGEMENT/CHANGE ORDER**
Authorized the Procurement Official, or designee, to execute Change Order 4 to Agreement 17-0101DC, for Parrish Village Force Main and Master Lift Station, with Woodruff and Sons, Inc., adding an additional 165 calendar days to the construction schedule and an additional \$24,948.45 to the contract amount BC20210914DOC038
25. **FINANCIAL MANAGEMENT/AGREEMENT**
Authorized the Procurement Official, or designee, to execute the Kronos Workforce Ready SaaS Agreement and the Kronos Workforce Central SaaS Agreement for a time and attendance and leave management system with Kronos SaaS, Inc. (three-year agreements to serve the County, Clerk's Office, Sheriff's Office, Property Appraiser's Office and Tax Collector's Office) BC20210914DOC039
26. **NEIGHBORHOOD SERVICES/GRANT/AGREEMENT/HOME CARE FOR THE ELDERLY**
Executed Amendment 002 to State FY 20/21 Home Care for the Elderly (HCE) Grant Agreement with Senior Connection Center, Inc., for the Home Care for the Elderly Program (occurring after the end of the service delivery date of 6/30/21 and allows the resulting decrease in subsidy service usage of \$8,255.05, to be transferred to other counties that had a deficit in this program; there is no County match to this program) BC20210914DOC040
27. **PARKS AND NATURAL RESOURCES/RESOLUTION**
Adopted Resolution R-21-113, authorizing Parks and Natural Resources Department to file a Long-Range Beach Erosion Control Budget Plan with Florida Department of Environmental Protection (FDEP) and identifying the source of matching funds as Tourist Development Tax BC20210914DOC041
28. **PARKS AND NATURAL RESOURCES/GRANT/ROBINSON PRESERVE CONNECTOR TRAIL**
- Authorized the Chairperson to execute letter to FDEP, requesting withdrawal of the Recreational Trails Program, Grant Project T19010, Robinson Preserve Connector Trail and
 - Adopted Budget Resolution B-21-098, adjusting the annual budget for FY 21-25 BC20210914DOC042
29. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Conservation Easement from Pulte Home Company LLC, for property located at 808 Gadwall Court, required in accordance with their final site plan requirements for a residential development; and
 - Authorized recording of Affidavit of Ownership and Encumbrances from Pulte Home Company LLC BC20210914DOC043
31. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Permanent Utilities Easement (including Consent and Joinder from KL Eagle Point LLC), from Pulte Homes Company LLC, for the Del Webb at Bayview Amenity Center, required as part of the final site plan requirements; and
 - Authorized recording of Affidavit of Ownership and Encumbrances from Pulte Home Company LLC BC20210914DOC044
32. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
Accepted and authorized recording of Temporary Construction Easement from Donald K. Brewer, Sr., for property located at 7010 Prospect Road (326 square feet), Sarasota, required for the 36th Street East (Prospect Road) – Whitfield Avenue Sidewalk Project BC20210914DOC045
33. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**
- Accepted and authorized recording of Warranty Deed from Lakewood Ranch Community Development District 6, for property located at the intersection of

Lakewood Ranch Boulevard and Balmoral Woods Boulevard (portions of Tracts 501 and 615), for installation of a traffic signal with pedestrian accommodations; and

- Authorized recording of Affidavit of Ownership and Encumbrances from Lakewood Ranch Community Development District 6 BC20210914DOC046

34. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**

Accepted recorded Permanent Utilities Easement from Twelfth West Cortez LLC, for property located at 4445 26th Street West, required in accordance with final site plan requirements for the development of a Wawa convenience store BC20210914DOC047

35. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**

Accepted recorded Warranty Deed from Carmen J. Pacheco and Jose F. Pacheco, and Carmen A. Pacheco, and Fernando A. Pacheco, for acquisition of Parcel 1544510066 located at 3407 27th Street East, required pursuant to CIP Project 6096560, 27th Street – 38th Avenue East – 26th Avenue East for roadway improvement BC20210914DOC048

36. **PROPERTY MANAGEMENT/DEEDS AND EASEMENTS**

- Accepted recorded Warranty Deed from Mixon Fruit Farms, Inc., (including Partial Release from Centerstate Bank, N.A.) for property located on 26th Avenue East, for the 26th Avenue East Sidewalk Project; and
- Accepted recorded Warranty Deed from William Dean Mixon BC20210914DOC049

37. **PROPERTY MANAGEMENT/RESOLUTION**

- Adopted Resolution R-21-150, authorizing conveyance of Right-of-Way to Florida Department of Transportation (FDOT); and
- Executed and authorized recording of County Deed, conveying Right-of-Way to FDOT, for the realignment of State Road 62 at U.S. 301 North, Parrish BC20210914DOC050

39. **PROPERTY MANAGEMENT/CONTRACT FOR SALE AND PURCHASE**

Executed Contract for Sale and Purchase with Joyce B. Case, Individually and as Trustee U/A The Joyce B. Case Trust Dated October 10, 2006, as Amended and Restated, for Parcel 105 for the upgrading and widening of approximately 1.9 miles along Moccasin Wallow Road, from U.S. 41 to Gateway Boulevard (CIP Project 6092560) BC20210914DOC051

40. **PUBLIC SAFETY/RESOLUTION**

Adopted Resolution R-21-148, authorizing the Public Safety Department to participate in the Intergovernmental Transfer Program (IGT) with the State of Florida Agency for Health Care Administration (AHCA), approving the form agreement for the IGT, and designating authority to the Director of Public Safety to execute the form agreement and other documents necessary to participate in the Program and remit IGT Funds to participate in Year 3 of the Managed Care Organization Program BC20210914DOC052

41. **PUBLIC SAFETY/INTERLOCAL AGREEMENT/9-1-1 SERVICES**

Authorized the County Administrator, or designee, to execute Interlocal Agreement with Sarasota County, to house 9-1-1 equipment in each other's facilities and provide back-up 9-1-1 services on an as-needed basis (Agreement shall be ten years with two, five-year options) BC20210914DOC053

42. **PUBLIC WORKS/RESOLUTION**

Adopted Resolution R-21-110, approving a Limited Access Agreement and Release of Claims Form for the Bradenton Beach Gravity Sewer Replacement Project, necessary to allow the County to work on private property to facilitate the relocation of the gravity sewer mains in

Bradenton Beach from behind homes, businesses, etc., to County right-of-way in front of the parcel
BC20210914DOC054

43. **PUBLIC WORKS/RESOLUTION/NON-AD VALOREM ASSESSMENTS**

Adopted Resolution R-21-149, providing for the Annual Certification of Non-Ad Valorem Assessments pursuant to the uniform method for levy, collection and enforcement of Non-Ad Valorem Assessments for annual special assessments payments due with the payment of the 2021 Ad Valorem Taxes
BC20210914DOC055

44. **PUBLIC WORKS/SPEED TABLES**

Authorized Public Works staff to install three temporary speed tables (90-day trial period) on Tara Boulevard, between Tara Preserve Lane and Linger Lodge Road at \$4,500, and three permanent speed tables (to be installed typically within 6-8 weeks following the conclusion of the trial period) at \$19,500, for a total cost of \$24,000
BC20210914DOC056

45. **PUBLIC WORKS/AGREEMENT/BOWLEES CREEK FLOOD MITIGATION PROJECT**

Executed Cooperative Funding Agreement with Southwest Florida Water Management District, for a Bowlees Creek Flood Mitigation Project (Q141), and authorized designation of the Project Manager for the County as Kenneth Kohn, P.E., Public Works
BC20210914DOC057

46. **PUBLIC WORKS/IMPACT FEE CREDIT AGREEMENT**

Executed First Amendment to Reimbursement and Impact Fee Credit Agreement (12/10/19) for Transportation Improvements located at Lorraine Road at S.R. 70/Publix at S.R. 70, with Publix Super Markets, Inc. (reflecting updated reimbursement amount to project when including additional work necessary, for an increase of \$133,627, from \$1,526,573 to \$1,660,200 of actual improvement costs)
BC20210914DOC058

47. **UTILITIES/RESOLUTION**

Adopted Resolution R-21-135, approving the termination of a 1979 Champion Home Communities Reclaimed Agreement (3/22/79) with Creekwood Investors, Ltd., regarding the purchase of property for the purpose of constructing a wastewater treatment facility, and treats the Rosedale Community as others according to the Manatee County Code of Ordinances, which requires there be no free service
BC20210914DOC059

48. **UTILITIES/BAD DEBT WRITE-OFFS**

Authorized to write off bad debts of the Utilities Department, not to exceed \$90,751.19 in Fund 401 (Potable Water/Wastewater), and \$42,336.31 in Fund 480 (Solid Waste)
BC20210914DOC060

49. **UTILITIES/AGREEMENT**

Executed Joint Funding Agreement with U.S. Geological Survey for data collection at three stations (Manatee River near Myakka Head, Little Manatee River at Duette, and Manatee River at Rye Bridge), for the period of October 1, 2021, to September 30, 2022, in the amount of \$48,340
BC20210914DOC061

57. **COUNTY ADMINISTRATOR/LETTER OF NON-OPPOSITION**

Executed letter of non-opposition to the Florida Department of Transportation (FDOT), for the temporary closure of the Skyway Bridge (northbound lanes from 3:30 a.m. to 11:00 a.m.), for the 10K Charity Run on Sunday, March 6, 2022, sponsored by the Armed Forces Families Foundation
BC20210914DOC062

58. **PROPERTY MANAGEMENT/SUBORDINATION OF COUNTY UTILITY INTERESTS (PARCEL 503.1 (AKA PARCEL 503))**

Executed Subordination of County Utility Interests to FDOT, for Parcel 503.1 (aka Parcel 503), for traffic and pedestrian safety improvements to the U.S. 41/U.S. 301-Bradenton Area Convention Center Hotel at 7th Street Intersection in Palmetto, including retrofitting and upgrading existing signage and signalization at the Intersection and constructing sidewalks and curb ramps along both sides of the U.S. 41/U.S. 301 Corridor in Palmetto BC20210914DOC063

(End Consent Agenda)

51. **REDEVELOPMENT AND ECONOMIC OPPORTUNITY/AFFORDABLE HOUSING ADVISORY COMMITTEE**

This item is for the appointment of one member to Seat 8 of Affordable Housing Advisory Committee (AHAC), and adoption of Resolution R-21-151. One application was received.



A motion was made by Commissioner Whitmore, to appoint William Conerly to Seat 8 of the Affordable Housing Advisory Committee, as required by Florida Statutes and Ordinance 08-44, and to adopt Resolution R-21-151. The motion was seconded by Commissioner Servia.

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



The motion carried 7-0.

BC20210914DOC064

PUBLIC HEARINGS (Presentations Upon Request)

52. **ORDINANCE 21-13, PARKS AND NATURAL RESOURCES REGULATIONS** 

A duly advertised public hearing was held to consider adoption of Ordinance 21-13, authorizing changes to the Parks and Recreation Ordinance, Chapter 2-24 of the Manatee County Code (Code).



Dr. Scott Hopes, County Administrator, stated the Parks and Recreation Ordinance (08-48) has not been updated for 13 years. Many of the proposed changes are a result of items that were discussed in various work sessions and concerns brought forward by constituents.



Discussion ensued regarding prohibiting fishing and using cast nets at boat ramps, limitations on the ability assemble and protest at parks, and post signs at boat ramps to prohibit interfering with launching boats.



William A. Clague, County Attorney, expressed concern with discussing other subject matters other than this Ordinance. For the record, he read the public hearing information to adopt Ordinance 21-13, relating to the regulation of Parks and Natural Resources and changes to Section 2-24 of the Code.



Commissioner Van Ostenbridge requested a presentation on this item.




Charlie Hunsicker, Parks and Natural Resources Director, and Debbie Voorhees, Contracts Manager, utilized a slide presentation to review the request, and highlight the primary changes to Ordinance 21-13. The Ordinance does not relate to fishing on piers.


Further discussion occurred as to the parameters on the property, Commissioner Van Ostenbridge would like to see some word snipping on the boat ramp wording, is there an area where cast nets could be used where it would not interfere with the boat ramp, safety is

a priority and not putting citizens at risk, the boat dock and ramp is a structure and does not extend to the land on either side, whether this could be resolved if boat ramp was a defined term, and the County Attorney agreed this could be resolved this way.


 Dr. Hopes stated that staff would go back and review the definition of a boat ramp.


 Commissioner Satcher stated this Ordinance closely resembles policy and he would have liked more input from the County Attorney, as this seems like a simple yield to boats. He commented on the business of selling fish at boat ramps and that the Ordinance could be worded even stronger.


 Mr. Clague stated this is the normal legislative process. The Board has options to give direction to staff for changes and bring back the Ordinance at a future date and time certain. The Ordinance contains an enforcement provision Section 2-24-57 and there is discretion on how it is applied.


 Commissioner Whitmore stated there was never concern regarding safety at Kingfish Boat Ramp, the exchange of money for selling fish is done off site, the idea of a sign to not interfere with boat launching activities would solve the issue, and there is a lot of area that is not used.

Motion

 A motion was made by Commissioner Servia, to bring this Ordinance back at a later time and include some of the risk management issues, public safety issues, and to know how this is regulated in other communities and have a larger discussion on this. The motion was seconded by Commissioner Van Ostenbridge.

 Glen Gibellina questioned why the Parks and Recreation Advisory Committee was disbanded and suggested the Committee be reinstated to address these types of issues.

 By telephone, Katherine Norman was advised she could speak on Item 59 later in the meeting.


 By telephone, Chris Gilbert agreed with Commissioner Van Ostenbridge and asked the Board to study the Ordinance verbiage further and bring it back.


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

 Mr. Clague recommended the motion include the words “to continue the public hearing to no date and time certain and to be re-advertised.” The motioner and seconder agreed.

Chairman Baugh suggested scheduling a work session on this issue.

RECESS/RECONVENE – 11:28 a.m. – 11:30 a.m. All Commissioners were present.

 Commissioner Bellamy stated there is a difference between a boat dock and a boat ramp, commented about erecting a sign and asked staff to separate the boat ramp from the dock. There is a floating boat ramp and a dock at Emerson Point.

 Chairman Baugh stated that a work session would be held on this Ordinance.

Motion - Carried

 The motion, with the additional wording by the County Attorney, carried 7-0.


BC20210914DOC065

RECESS/RECONVENE: 11:33 a.m. - 1:32 p.m. All Commissioners were present.

ADVERTISED PUBLIC HEARINGS (Presentations Upon Request continued)

53. **PROPERTY MANAGEMENT/LOCAL DEVELOPMENT AGREEMENT/TREVESTA** 


A duly advertised first public hearing was held to consider approval of Local Development Agreement LDA-14-04(R), First Amendment to Local Development Agreement for Trevesta.

 William A. Clague, County Attorney, stated no action is required at this time. This is the first of two public hearings; the second public hearing is scheduled September 28, 2021.


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

BC20210914DOC066

56. **FINANCIAL MANAGEMENT/REQUESTS FOR PROPOSALS/BEST FINANCING OPTION USING A CREDIT LINE**

 Jan Brewer, Deputy County Administrator/Chief Financial Officer, reviewed the request to authorize the Financial Advisor, PRAG (Public Resources Advisory Group), to distribute a Request for Proposals from banks for a \$50 million, tax-exempt line of credit, which will fund the design and construction of several projects already identified and approved during the adoption of the Capital Improvement Plan 2022-2026. Once PRAG does its due diligence, this would be brought back to the Board for action on November 21, 2021.

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

 A motion was made by Commissioner Whitmore, seconded by Commissioner Servia and carried 7-0, to authorize the Financial Advisor to distribute a Request for Proposals from banks for a Credit Line of \$50 Million, which will fund the design and construction of several projects already identified and approved during the Adoption of Capital Improvement Plan 2022-2026.

BC20210914DOC067


COMMISSIONER AGENDA 


59. **APPROVAL OF LETTER TO FLORIDA ATTORNEY GENERAL IN FAVOR OF A COUNTY ORDINANCE CREATING A SAFE HAVEN FOR THE UNBORN IN MANATEE COUNTY AND DIRECT THE COUNTY ATTORNEY TO REQUEST A FORMAL ADVISORY OPINION FROM THE FLORIDA ATTORNEY GENERAL ADDRESSING WHETHER THE COUNTY IS PREEMPTED UNDER FLORIDA LAW FROM ADOPTING AN ORDINANCE REGULATING ABORTION**

Commissioner Satcher read into the record, his proposed letter addressed to Attorney General Ashley Moody, Office of the Attorney General, State of Florida, for approval and execution by the Commissioners.


BC20210914DOC068


Motion (Recommended Motion on Agenda Memorandum)


 A motion was made by Commissioner Satcher and seconded by Commissioner Van Ostenbridge, to approve the letter to the Florida Attorney General, with the accompanying signatures, in the form submitted into the record, and to direct the County Attorney to request a Formal Advisory Opinion from the Florida Attorney General addressing whether the County is preempted under Florida Law from adopting an ordinance regulating abortion.


 Commissioner Bellamy stated a local abortion ban is unconstitutional and could put the Board into the high cost of litigation. Eight things the County Commission should focus on are infrastructure, affordable housing, libraries, animal shelter, homelessness, stormwater issues, the pandemic and Veteran's affairs, as these are local issues that could be dealt with at the local level.


There was discussion this issue should be addressed at the State Level, women deserve the right to speak for themselves, the letter should go to State Representatives, some statements in the letter need clarification, and this letter just seeks an opinion.

 Commissioner Servia stated the proposed letter by Commissioner Satcher is addressed to Attorney General Ashley Moody. She asked the County Attorney if this is the standard way the Board would ask for guidance on an Attorney General Opinion/Formal Advisory Opinion, and if this letter is what the County Attorney would normally recommend.

 William A. Clague, County Attorney, said it was not, but the motion includes direction to him to request a Formal Advisory Opinion from the Florida Attorney General separately from Commissioner Satcher's letter.


 Commissioner Servia requested confirmation by the County Attorney that the motion is to send this letter to Attorney General Ashley Moody, as well as another letter drafted by the County Attorney, which would focus on the legality and case law on legal issues.


 Mr. Clague confirmed and stated the letter from his office would have to be prepared very carefully, as there is a process and work involved.

 There was discussion that Commissioner Satcher's letter appeared to be more of a lobbying effort that should be sent to Speaker of the House, Senate President and Governor DeSantis, Commissioner Satcher was encouraged to use his personal letterhead to send the letter, it is not appropriate to send this letter to the Attorney General, because the Attorney General would opine on the legality of issues and case law and not on the opinions on how a local government should develop an ordinance, Paragraph 5 regarding an established grant is not accurate, some statements in the letter need clarification, the word womb should be replaced with the word uterus, letters that are approved by the Board are signed only by the Chairman, concern that the letter has signature blocks for each Commissioner, this letter just seeks an opinion, the United States Supreme Court is about to opine on this issue, and the State would be looking at this issue this year.


Hostile Amendment

Commissioner Whitmore amended the motion that we send a letter to the Attorney General, asking to give an opinion on whether local governments can do what has been suggested in Manatee County. The motion was seconded by Commissioner Servia.


 Mr. Clague advised that a Commissioner could make a motion to amend another Commissioner's motion. If the original motioner does not agree, then the amendment is treated as a hostile amendment. For clarity of the record, he asked everyone to wait until they were recognized by the Chairman to speak.

 Mr. Clague stated this issue came up in a previous meeting (8/10/21) and the Board indicated a preference for Commissioner Satcher to put the item on an agenda as his item for

consideration. Commissioner Satcher's letter reflects his proposal for the Board to take a policy position on the issue; however, the motion on the floor also includes direction to his office to seek a Formal Advisory Opinion. Commissioners were briefed individually that if the Board wanted to look at this issue, then a Formal Advisory Opinion should be sought before going any further, because there is legal authority and an 1985 Attorney General Opinion that suggests that the County, under Florida law, is preempted from regulating in this area. This is a fundamental predicate issue for a government lawyer. However, as a matter of basic due diligence, the next logical step would be to seek the Formal Advisory Opinion from the Attorney General. The Attorney General's website points out that it is a way for governments to avoid the costs of litigation.


 Mr. Clague reiterated that, if the Board wished to proceed, the next logical step would be to direct his office to seek the Formal Advisory Opinion from the Attorney General. Commissioner Whitmore stated that was the intent of her amendment to the motion.


Commissioner Satcher stated the intent of his motion/letter was to find out where the Board stood prior to asking for an opinion from the Attorney General.


 Commissioner Van Ostenbridge commended Commissioner Satcher for the letter and reminded everyone that the purpose of his letter is to get legal guidance from the Attorney General. Currently, there are no abortion clinics in Manatee County, and it appears the goal of Commissioner Satcher is to maintain the status quo. He agreed with Commissioner Servia that Commissioner Satcher's letter should be sent to the Speaker of the House, the Governor and the Senate President.


Commissioner Satcher agreed to send his letter to the Speaker of the House, the Governor and the Senate President, and indicated willingness to change the word womb to uterus in the letter, if Commissioner Whitmore was in agreement with his letter.


Discussion continued that this is not a waste of time nor is it a racial issue, there is not enough information at this time to take a position, is the Board legally allowed to create such a local law, this could be determined by the County Attorney crafting a letter to the Attorney General asking for a Formal Advisory Opinion, the United States Supreme Court is to opine on this issue, wait to see what the Supreme Court does and then Manatee County could take the next step.


 Commissioner Whitmore stated Commissioner Satcher's letter should be polished before it is sent to the Attorney General. She would not support the letter and trusts the Attorney General as to whether it is legally defensible. If approved, the letter should be signed by the Chairman and not all of the Commissioners.


 Commissioner Kruse respectively disagreed with Commissioner Whitmore. If the letter was approved in a split vote and only signed by the Chairman, the Chairman would effectively be signing on behalf for the entire Board. Inclusion of the Commissioner's names on the letter was giving each Commissioner the choice. He does not want people to misinterpret this issue. He is pro-life but, at the end of the day, he must look at issues based upon facts and not his personal view. This issue has become overly politicized. Commissioner Satcher's letter is just asking the Attorney General for an opinion.


 Commissioner Servia asked Mr. Clague if Commissioner Satcher's letter as drafted, was sent to the Attorney General, would the Board receive a formal opinion back.


 Mr. Clague said the Board would not, but the motion also gives him direction to submit a separate request to Attorney General Moody for a Formal Advisory Opinion, which, if passed, he would submit the request in such a way that he hoped Ms. Moody would render an opinion, but he emphasized that she would not be required to do so. He noted there are two actions in the motion, approval of the letter drafted by Commissioner Satcher, and direction to his office to prepare a request for a Formal Advisory Opinion.


 Commissioner Servia stated she did not understand the purpose of two letters requesting the same thing, when the Board could be more efficient and authorize one letter from the County Attorney to the Attorney General in the proper format, asking for the formal opinion. Though she did not agree on sending two letters before the Board has all the facts, she suggested Commissioner Satcher send his letter on his personal letterhead from District 1. She stated she did not have enough information and would not sign Commissioner Satcher's letter as presented.


 If Commissioner Satcher's letter is approved, Commissioner Whitmore recommended changes to Items 5 and 7, and to change the word womb to uterus. The second to last paragraph beginning with the word Therefore is good.

 Chairman Baugh was told the State would be looking at this issue in its upcoming Legislative Session, and that Manatee County was respected for broaching this issue. She stated she would sign the letter, which simply asks for information.

 Mr. Clague clarified that the first motion is on the agenda memorandum, to approve Commissioner Satcher's letter in the form submitted into the record, and to direct the County Attorney to request a formal advisory opinion from the Florida Attorney General, addressing whether the County is preempted under Florida law from adopting an ordinance regulating abortion. The Amendment was to remove Commissioner Satcher's letter from the action and just direct the County Attorney to seek a Formal Advisory Opinion.

 The following individuals signed up to speak, but were not present: Maily Ortiz, Jack Wallace, Jim DePriest, Kate Danehy-Samitz, Amy Weintraub, Sarah Parker, Karen Willey and Glen Gibellina.


 Daniel Judge stated he addressed this issue at a previous meeting. He spoke against Commissioner Satcher's letter and agreed with comments by Commissioner Bellamy.


 Jason Bearden commented on the difference of opinion on when human life begins and when it should be protected.


 Keith Green commented on Commissioner Bellamy's statements.


 April Allison Culbreath spoke in support of Commissioner Satcher's letter.


 Katie Benoi spoke about the difficult decision of terminating an unhealthy pregnancy.


 By telephone, Harris Tomlinson spoke about women being forced to carry a child during unsafe circumstances.


 By telephone, Kathryn Norman thanked Commissioner Bellamy for his comments.

 By telephone, Tina Shope spoke in support of Commissioner Whitmore's suggestion that a letter be sent only by the County Attorney to the Attorney General and asked Commissioner Satcher to define a sanctuary city for the unborn.


 By telephone, Liz Coleman voiced concern of Commissioner Satcher's proposal of a County abortion ban when Manatee County does not have a functioning abortion business within its limits.


 By telephone, Sarah Kenny spoke against Commissioner Satcher's letter.


 By telephone, Steven Bourden referenced scripture on the creation of life, use of the word womb and the sanctity of life.


 By telephone, Janet Raines stated she serves on an organization that helps pregnant women. This is not a political issue, but about health care and individual choice.

 By telephone, Chris Gilbert stated Commissioner Satcher's letter may generate a positive reaction by certain religious organizations.

 Kate Danehy-Samitz, speaking on behalf of Women's Voices of Southwest Florida, commented on Commissioner Satcher's letter.

 By telephone, Danielle Robbins and Tonya Lee Roth spoke about protecting the rights of women to make decisions that are best for them.

 By telephone, Glen Gibellina spoke about County concern for no-kill animal shelters, but no concern for the unborn child or the use of federal dollars to perform abortions.


 By telephone, Brenda Yule spoke against local government mixing the issue of abortion with local government issues.

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


Hostile Amendment

 Upon suggestion by Mr. Clague, Commissioner Whitmore moved to amend the motion made by Commissioner Satcher, to remove approval of the letter in the agenda item. Commissioner Whitmore stated this was her hostile amendment. The seconder agreed.


Commissioner Whitmore commented.

 Commissioner Bellamy stated women should have the right to make their own decisions. He did not want his name on Commissioner Satcher's letter.


 Commissioner Kruse stated he would place this issue on the front page of next year's legislative priorities.

 Commissioner Satcher stated he would leave his letter as presented.

Vote – Hostile Amendment

 Following further discussion, the motion **failed** 2-5, with Commissioners Baugh, Bellamy, Kruse, Satcher and Van Ostenbridge voting nay.


Vote – Original Motion

 A motion was made by Commissioner Satcher, to approve the letter to the Florida Attorney General in the form submitted into the record, and to direct the County Attorney to request a formal advisory opinion from the Florida Attorney General addressing whether the County is preempted under Florida Law from adopting an ordinance regulating abortion. The motion was seconded by Commissioner Van Ostenbridge.

Mr. Clague read the original motion, which carried 4-3, with Commissioners’ Bellamy, Servia and Whitmore voting nay.

RECESS/RECONVENE: 3:34 p.m. – 3:43 p.m. All Commissioners were present.

Motion

 A motion was made by Commissioner Van Ostenbridge, that we vote to send the same letter we just sent to the Attorney General, to Senate President Wilton Simpson, Speaker of the House Chris Sprowls and Governor Ron DeSantis. The motion was seconded by Commissioner Satcher.

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


 The motion carried 6-1, with Commissioner Bellamy voting nay.

BC20210914DOC069

COMMISSIONER COMMENTS 

Chairman Baugh


- Asked for a report from the County Administrator regarding housing for veterans


 Dr. Hopes stated it has been verified that ARP (American Rescue Plan) Funding could be used to renovate the former facility that was used as the jail, to provide not only transitional veteran’s housing, but also wraparound services. It looks to be an estimated \$15 million investment.


- Reminded the County Administrator that he is to submit a self-evaluation to the Board by October 1
- Commented on the Board’s meeting procedures, stating she is looking forward to the September 15 work session on the Board Policies and Procedures
- Asked that the County Administrator look into a lobbyist registration and ethics reform and bring that back to the Board within 30 days

There was discussion on the need to have someone who can investigate concerns raised by citizens and this may be a topic of a work session.

- Stated that Sandy Gilbert with START (Solutions to Avoid Rest Tide) has some helpful information regarding success in dealing with stormwater activities
- Questioned the status of hiring Commissioner Aides

 Discussion occurred on the process for hiring Commissioner Aides, each Commissioner should interview/hire/oversee their own Aide, Aides are to work with Commissioners, compatibility is important, pay level for Aides to do a higher level of work, Aides should not be under the County Administrator, the opinion that it would not be fiscally responsible to hire seven Aides, this change in Commission office staff was not well thought out, the Chairman should have a separate Aide, the County Attorney and County Administrator need to look at revamping the staffing in the Commission office and bring it back to the Board within 30 days.

 Dr. Hopes stated the majority of Board members agree to have a full-time-employee Aide. A budget would be developed for Board consideration for seven Commissioner Aides.

 Mr. Clague advised that there is some flexibility allowed for Commissioners to hire their own Aide.

Commissioner Whitmore 

- Sent condolences to the family of Beverly Smock, who recently passed away from COVID
- Reported that she attended a recent West Coast Inland Navigation District (WCIND) meeting, WCIND plans to hire Doug Holder, who will move forward with an initiative to build a new WCIND Building (the County is donating the land)
- Stated that she and Art Stoddard, State Attorney's office, would be going to Trailer Estates to speak about elder abuse. The Sheriff and patrol officers plan to attend meetings at Colony Cove and the larger mobile home parks
- Commented on development in the County and referenced an article in the Herald Tribune (9/4/21) that 234 homes sold in six months in the North River Ranch project

BC20210914DOC070

Commissioner Servia 

- Reported on a Whitfield-Ballentine Association meeting and discussions regarding new legislation that prohibits Code Enforcement complaints from being made anonymously. She asked for an opinion by the County Attorney on whether or not complaints could be made by an Association.

The County Attorney stated he would meet with Commissioner Servia on this matter.

ADJOURN

There being no further business, Chairman Baugh adjourned the meeting at 4:36 p.m.

Minutes Approved: December 14, 2021