



FEDERATION
OF
MANATEE COUNTY
COMMUNITY ASSOCIATIONS, INC.

APRIL 2018 NEWSLETTER

Next Meeting – April 17, 2018 at 6:45 PM

NEW LOCATION – FIRST BAPTIST CHURCH OF BRADENTON
1306 Manatee Avenue West, Bradenton, Florida
(on corner of 13th St. & Manatee)
Meeting Room – Church Offices Building, enter using west back door

Please mark your calendar and attend with a friend to show support for your community and quality of life.

AGENDA

- GUEST SPEAKER – Corinne Tucker, Public Involvement Coordinator, Sarasota/Manatee Metropolitan Planning Organization
- Reports and requests for assistance by homeowners and items of interest
- Reading of Minutes and Treasurer's Report
- Updates on: Health Care Advisory Board; County Bike Trails; Impact Fees
- Discussion on changes to our Bylaws

PRESIDENT'S MESSAGE

THE TIMES THEY ARE A-CHANGING

An appropriate thought from a Bob Dylan song; I especially liked the 3rd verse:

“Come senators, congressmen, please heed the call,
Don't stand in the doorway, don't block up the hall.
For he that gets hurt will be he who has stalled,
There's a battle out-side and it's raging.
It'll soon shake your windows and rattle your walls,
For the times they are a-changing.”

Members of Congress: “Please heed this call.” How appropriately stated this is as our country prepares for the next session. The membership debates are lengthy, controversial even confrontational for the participants irrespective of their party affiliation or position of the matters at hand. How can we the citizens move forward through the “doorways of progress” if our elected officials continue to stall.

In a national survey it is interesting to note that 75 percent of Americans believe that incivility has risen to crisis levels in all areas. This does not increase a cooperative approach to our major issues. This trend needs to change. Historically our leaders have come together to cooperate and compromise to enact policies that have changed our lives and made America a model country and stronger nation. How do we return to a more productive and cooperative approach to our decisions?

This is a highly critical question deserving a responsible answer. We the citizens must direct our elected officials towards action and activity, demand responsive engagement and drive solutions. The power of the vote is our battle cry and each of us must pull the levers of democracy by writing, calling

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***“Eternal Vigilance
is the price
of Liberty.”***

and challenging the politicians to action. These are some of the direct activities we must engage in to make a difference. This action may seem inadequate, but the politicians “job one” is to keep their jobs, for we the citizens our “job one” is vote them in or vote them out, but vote. So citizens unite, rattle the windows and shake the halls, congressional members answer the calls, for the votes they are a-coming.

The Federation continues to drive participation, provide information, and stay involved in local, state and national issues. Our meetings provide an opportunity to present issues that will be shared with our leaders. Now is the time to let us know your thoughts on local, state and national issues to help guide our activities and information to the decision makers. For the times they are a-changing.

Although this is in part a repeat of a past message, it is as true today as it was then. We need your input on all of the issues today. See you all at the meeting.

HEALTHCARE ADVISORY BOARD (HAB) UPDATE

Unfortunately, I was unable to attend the monthly meeting of HAB on Wednesday, March 28th.

On March 21st, I was admitted to the Emergency Room for extreme high blood pressure and dizziness. After 8 hours in the E.R. and an additional 14 hours of being admitted for observation and a battery of tests, with fortunately negative findings, I was released to go home.

I was fortunate to go to Blake Hospital, notwithstanding it was completely full, since Manatee Memorial Hospital was completely full and had quit receiving ambulances.

This experience drove home to me the critical importance of developing a better system of referring non-emergency less costly cases to “non-hospital all night clinics.” This is one of the major cost issues that HAB is attempting to resolve locally.

At the March meeting of HAB, our past 2 year chairman resigned for personal reasons. Because of staggered terms we have some new faces with new ideas on HAB. Three sub-committees within HAB have been established, at the request of the County Commission, to work on the opioid crises, case management planning and dental care for the needy. These committees are developing ideas together with the other tasks assigned to HAB to resolve as soon as possible.

Finally, I have recently presented to HAB, suggestions to help HAB to gain traction to resolve these issues. (ESM)

COMMISSIONERS CHOOSE DEVELOPERS OVER TAXPAYERS

Anyone who has studied economics knows that cash flow is the life blood of any economy. When the Manatee County of Board of Commissioners approved a 90% cap on impact fees they further depressed our economy by reducing our cash flow by \$10,000,000.

If the Board had allowed impact fees to go to the recommended rate as stipulated in the Land Development Code Section 1102.3, the developers would have had to pay (starting on April 18, 2018) for all the infrastructure that is required by their developments. Over the next three years that amounts to more than \$10,000,000 that would have been spent in the local economy, thus increasing the cash flow.

On March 20, 2018, the Board of Commissioners illegally approved a cap on impact fees that will require 10,000,000 tax dollars to be used to compensate for the loss of that revenue from the developers.

When the County takes 10,000,000 tax dollars to pay for developer necessitated infrastructure it has a negative impact on cash flow because it reduces the amount of funding available to spend in the county by \$10,000,000 thus reducing cash flow.

The bottom line is that the county economy is best served if 1- The developers pay the full amount of impact fees as recommended by the impact fee study and 2- The County spends all their tax dollars in the county to benefit taxpayers.

By having both the developers and the county spend \$10,000,000, the cash flow is twice it would be if impact fees are capped which requires the county to pay for developer necessitated infrastructure.

The Board of Commissioners should reverse their decision to cap impact fees before the April 18th deadline or face possible action by the State.

Voters need to keep this in mind during the November election. The Board of Commissioners favors the developers over taxpayers. It is time to vote for candidates who represent us and vote for 100% collection of impact fees. (EG)

LIFE IN A NOISE NIGHTMARE WHEN THE SYSTEM DOESN'T WORK

You never really think about the noise ordinance, that is, until you actually need it. One would assume that if you ever had a problem with noise and were unable to solve it yourself, the county's noise ordinance would be there to help you. Common sense would dictate that the county would require the offender to either stop making the noise or to mitigate the noise in some manner, essentially resolving the problem. We found that this thought process could not be further from the truth when a complaint is filed with Code Enforcement. What we found instead, was that employees would go to almost any length **not** to enforce the ordinance.

In March 2016, after 25 years of living quietly and happily behind a small shopping plaza, the unit directly behind our home was remodeled; this increased their back-door noise. In addition, they installed loud commercial rooftop equipment. Our property and those of our neighbors, were dominated by constant low frequency noise registering in the 60-65+ decibel range, 6 days a week, 10-14 hours a day, with 12-24 door slams per hour, during hours of operation. Many times, especially when someone complained, the business retaliated by running the equipment continuously for days at a time. While the fan was running the entire family experienced headaches, ear fatigue, ear pain, and other health issues caused by the constant noise. We felt the business could easily resolve the issue by installing sound reducing panels and automatic door closures on the back doors. The business, which had no impact from the noise they created, repeatedly ignored our request to resolve the issue stating that we should just "go somewhere during the day." Since there was absolutely nothing that we could do to mitigate the noise ourselves, this left us with no alternative but filing a complaint with Code Enforcement.

On March 22, 2016, we filed our first complaint with Code Enforcement. I pointed out to the officer that I felt the noise constituted a noise disturbance (a)...harmful or injurious to health and welfare... (b)...noise is excessive or of such duration... (c)...plainly audible from a distance of 25 feet or more. The officer's response was that the ordinance did not apply in this situation because it was a commercially zoned building and it was not against the ordinance to run the equipment.

Due to health issues caused by the constant noise, we purchased hearing protection to wear in our yard and started to make inquiries to our county commissioner. Throughout the almost two years that followed, we had repeated interactions discussing the noise disturbance complaint with Code Enforcement and Building and Development Services. We repeatedly requested that a supervisor visit our property to make the determination of a noise disturbance, which went unanswered. Rumors, created by the business, were then circulated by county employees to sway or prevent anyone who tried to assist us in resolving this matter. We presented the county with an expert sound analysis that was taken at our property. We reported to supervisors at all levels, more than once, that reports pulled from public records contained inconsistent and fabricated reports. In person, we reported inappropriate behavior by an officer who visited our home. 637 days after the first complaint was filed, a Code Enforcement supervisor visited our property. The business was finally notified of the "noise disturbance" 660 days after the first complaint was filed and they were told that they must screen the vent noise so that it would no longer be in violation to the neighboring properties. 709 days after the first complaint was filed with Code Enforcement there is no resolution, no sound mitigating materials, and no automatic door closures in place. This business now has a "For Sale" sign posted in the window and we must wait to take action with the next owner.

After almost two years of research, public records requests, talking with sound reducing experts, and consulting a professional engineer who specializes in acoustical engineering, what we found was surprising. We expected Code Enforcement to know rules and follow them and we expected to be treated fairly, regardless of the zoning of our property. It appears that Code Enforcement gives commercial property preference and interprets the ordinance very differently than what it is worded. Not every staff member understands procedures on how to enforce the ordinance, nor do they

understand how to properly adjust for the correction for the character of sound. It appears that Code Enforcement relies strictly on a sound measurement, which they do not readily offer the public. It appears that there is little understanding concerning *prima facie* evidence used in a noise violation and the terms that constitute a noise disturbance, which is “so long as evidence exists” within a set of given standards. Instead Code Enforcement relied solely on a sound measurement, which was not corrected for the character of sound, even though the ordinance clearly states is “not necessary for enforcement.” Throughout this entire situation we received no representation from our new district Commissioner, nor did we receive absolutely any representation from our “At Large Commissioners”. (DA)

2018 ELECTION DATES- CONSTITUTIONAL AMENDMENTS ON BALLOT

Florida’s General Election is held in November in even-numbered years. This year’s election dates are:

August 28, 2018 - Primary Election

November 6, 2018 - General Election

This article is a courtesy reminder to all our readers and members to exercise your voting rights.

Florida’s General Election ballot will contain proposed changes to our State Constitution. Florida’s Constitution Revision Commission (CRC) for 2018 consists of 37 members. They examine proposals and recommend changes. This process occurs every 20 years. Over 100 amendments were submitted for review to the CRC and the Commission trimmed the number down to 25 separate items and will continue to consider what items will be on the Ballot between now and May. The Commission rules mandate 22 out of the 37 CRC members to vote for an item to be on the ballot.

Just a few issues/items being considered are: Prohibit oil/gas drilling in Florida’s coastal waters; Smoke vaper free workplaces; Verification system for employers to use to check immigration status of new hires; Close write-in loophole for state primaries; Term limits on school board members; Prohibit greyhound dog racing; Grant high-performing district schools ability to become charter districts; Mandatory retirement age for judges; Identifying which schools are operated, controlled and supervised by a school board; Mandate when legislative sessions will convene in January of even years; and several more.

Ultimately, 60 percent of voters would have to approve any constitutional amendments. (KLD)

MEETING DATES AND SPEAKERS

Here are the dates of our scheduled meetings for 2018.

January 16 – Rick Wells, Sheriff of Manatee County

February 20 – David Miner, School Board Member

March 20 – Cancelled due to weather

April 17 – Corinne Tucker, Public Involvement Coordinator, MPO

May 15 – Daytime Tour of Manatee Technical College

September 18 – TBA

October 16 – TBA

November meeting moved to 12/04

SPECIAL EVENT – VISIT TO MANATEE TECHNICAL COLLEGE

On May 15, 2018, we will have a field trip to Manatee Technical College, 6305 State Road 70 East and tour the facilities. At 11:30, we will meet in the lobby of MTC main campus, receive name badges, enjoy a box lunch (for anyone who wishes to have one, \$6.00 each, self-pay), and do a guided walking tour of the campus. See Itinerary for details.

Reservations are required by May 11. Please specify how many people will be attending and how many would like the box lunch from Chick-Fil-A. Contact Jim Kaiser at 747-2480 to sign-up..

NOTICE - Federation Annual Dues are \$.50 (fifty cents) for each household in an association. (Number of Households x \$.50 = Annual Dues.) Not to exceed \$100.00. Cost for independent or single membership is \$10.00. Whether you are a current member or a new one, please make your check payable to FMCCA and mail to Victor I. Coveduck, Treasurer, 5203 Palmetto Point Drive, Palmetto, FL 34221.