



FEDERATION
OF
MANATEE COUNTY
COMMUNITY ASSOCIATIONS, INC.

SEPTEMBER 2018 NEWSLETTER

LOCATION – FIRST BAPTIST CHURCH OF BRADENTON

1306 Manatee Avenue West, Bradenton, Florida
(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 SPEAKERS – School Board Candidates – Joe Stokes and Scott Hopes
- Reports and requests for assistance by homeowners and items of interest
- Reading of Minutes and Treasurer’s Report
- Update on Health Care Advisory Board – Sandy Marshall
- Update on School Board Issues – Glen Gibellina
- Update on Public Works and Bicycle Trails – Ed Goff

PRESIDENT’S MESSAGE

On May 15, at our end of the summer meeting, the FMCCA toured the Manatee Technical College facility and programs of both campuses. This tour was arranged by Dr. Richard Conard who is one of our board members and is directly related to the creation and success of the MTC program.

After settling into the private dining room where lunch was provided, Dr. Conard gave us a brief history of the creation of MTC, which was followed by Dr. Doug Wagner, Executive Director, who shared history, goals and objectives. Dr. Valerie Viands continued the program structure and Centers of Excellence Studies then led us on a tour of the facilities.

After the main campus tour, we went to the East Campus and toured the Conard Building where Omar Edwards, Assistant Director, introduced us to the programs housed there. Jay Romine, Director, met with us to share the law enforcement programs and tour of the Charlie Wells building. We saw the medical training and the fire development programs also.

We were impressed with the facilities and the flexibility built in to provide multiple uses. Entering the main campus is like an airport or large mall area very impressive. The design of the instructional area with classroom space adjacent to the lab areas works well to facilitate the programs offered. The design also allows for changes in program offerings to match the need identified by interest and local area changes. The large open hallways provide an excellent multi-use.

The comprehensive program provides opportunities and training for students to explore career choices with a chance to move into a job placement earning money to advance further

Jim Kaiser
President

Ernest “Sandy” Marshall
1st Vice President/
Ex-Officio President

Glen Gibellina
2nd Vice President

Victor Coveduck
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“Eternal Vigilance
is the price
of Liberty.”

education. It is impressive that this is not a model of a junior college with credits but training-by-hours to provide licenses or specific skill training in a variety of fields, which is something that we see as necessary given the current cost of university degrees and the employment need for the area.

We were most impressed to feel and hear the enthusiasm of the staff explaining the training programs that they were demonstrating. This positive climate and pride in the program is the best evidence that success will continue with this valuable asset to Manatee County.

TRIBUTE TO FARRELL W. BAKER (4/07/23 – 5/10/18) FORMER FMCCA PRESIDENT



On May 10, 2018, former Federation President Farrell W. Baker, age 95, from Flamingo Cay Homeowners Association, passed away.

Since the Federation does not publish its newsletters in June, July or August, this is the first opportunity we have had to inform our members of his passing.

Those of us who have had the pleasure and privilege of knowing and working with Farrell in the Federation remember him as a very considerate soft spoken man who politely steered the Federation in its efforts to help our public officials improve and protect the quality of life of the residents of Manatee County during his tenure.

Farrell is an example of another highly respected President of the Federation. He brought quality and steady leadership to the Federation. This was backed up by a long career of business and farming experience and service to his family, friends and community, including military service to our country during the allied invasion of Iwo Jima in World War II.

Farrell was blessed with having enjoyed and experienced a long life, well lived. God speed to Farrell and our condolences to his family. (ESM)

HAB UPDATE

Since the May, 2018 newsletter update, matters have gone from bad to worse.

As pointed out in the May FMCCA Newsletter HAB Update article, serious violations of meeting procedures under BOCC Resolution R-15-173 were occurring in the HAB meetings. Staff has been ignoring suggestions and requests by HAB members, including myself, and the public to develop a plan to reduce health care costs of the county's medically needy to the taxpayers of Manatee County. This cost is approximately between \$20 to \$30 million dollars, annually, of mandated and un-mandated health care costs to the county.

As Vice Chair of HAB, I wrote letters to the new health care manager (HCM), Cheri Coryea, new Deputy County Administrator, and the County Attorney for a legal opinion for help to straighten out the problems. The County agreed to provide the opinion from our County Attorney.

Instead of resolving the problems, certain staff, and certain HAB members, conspired to seek my removal as a Health Care Advisory Board member by illegally violating the rules of procedure in R-15-173 and the Florida Sunshine Law.

Because of staff and HAB members violating the above rules of procedure and Sunshine Law, if I simply ignored these violations, I would be guilty of aiding and abetting these violations. Therefore, because of my age, health and the potential of my having to file and go through possibly three lawsuits and an appeal to continue as a member of HAB; I elected to resign from HAB.

By doing this, through the Federation, I can continue to pursue providing help to the BOCC to curb unnecessary health care costs and develop a cost efficient health care plan instead of the obvious high cost plans being presently considered by HAB and staff. This is being driven by “special interest” influences, such as occurred in the past, during the existence of the BOCC appointed “Health Care Task Force” in 2008, which failed and only caused the destruction of the then \$45 million dollar Indigent Health Care Trust Fund. Notably this trust fund had been successfully managed by the then Clerk of Circuit Court to pay medical expenses for the indigent. (ESM)

MILLIONS OF TAX DOLLARS ARE BEING GIVEN TO THE DEVELOPERS

The Board of Commissioners voted last March to have county taxpayers, pay 10% of the developers’ impact fees. No justification was given by the four commissioners (Whitmore, Baugh, Smith, and Benac) who voted to take over ten-million-dollars (\$10,000/day) out of our county revenue, over the first three years, and use it to pay for infrastructure that is required only because of new development. Essentially our tax dollars are subsidizing the developers instead of being used to “promote the public, health, safety and welfare”.

After giving developers discounts on impact fees since 2008, they were scheduled to end on April 18th but that all changed when the Board of Commissioners voted to amend the Land Development Code to cap impact fee collection at 90% thus continuing the impact fee discount indefinitely.

The Land Development Code (LDC) has specific ruled for amending the Code. It States:

F. Board of County Commissioners Review. At the hearing, the Board may:

1. Determine that the proposed amendment is consistent with the Comprehensive Plan and promotes the public health, safety and welfare, and adopt the proposed amendment as proposed, or with such modifications as are necessary to assure consistency with the Comprehensive Plan and to promote public health, safety and welfare;

At no point during the hearing did any member of the Board mention how amending the Land Development Code to cap collection of impact fees at 90% (Ordinance 18-07) promotes the public health, safety and welfare. They did not, and they could not, because they cannot justify their vote. The Federation believes that the BoCC should rescind their vote and allow the rate of impact fee collection to go to 100% as originally stipulated by LDC Section – 1102.3 prior to this amendment. (EG)

**IMPORTANT NEWS ABOUT THE NEW AMENDMENTS TO
THE NEW COUNTY COMPREHENSIVE PLAN**

As a result of a recent letter, dated August 23, 2018, to the Manatee County Commission (BOCC) from the Federation, the Board directed the County Attorney’s office to clarify whether or not the new County Comp Plan contains Florida Constitutional “police powers” to protect Manatee County landowners.

Importantly, a written answer from the County Attorney was received on August 28, 2018, by the Federation. It contained written proof that the “police powers” in the Florida Constitution requiring the county to protect the “public health, safety and welfare” is specifically stated in Section C.2.1 3(b) and Section 43, Purpose.

This means that BOCC and the people can control growth in Manatee County. This will help staff, the Board, the public and the courts to either approve, reject, delay or modify any kind of business development,

if any of these police powers are violated. This provides the public with a clearer understanding on how to present their request for approval or denial to the county commission or a court.

This will also help the County to defend against “frivolous” *Bert J. Harris, Jr., Private Property Rights Protection Act* law suits, since the Florida Constitution trumps a statutory law. (ESM)

NOTICE OF PROPOSED CHANGE TO FMCCA BYLAWS
(Vote to take place at October 16, 2018 Meeting)

At the May 1, 2018, Board Meeting a motion was made and passed to change the voting procedure for FMCCA. The change will allow independent members a single vote and the delegate for an Affiliate Association (home or condo owners representatives) 2 votes. The current bylaws do not allow independent members a binding vote, only an advisory non-binding vote.

“Never doubt that a small group of committed people can change the world.
Indeed, it is the only thing that ever has.”

Margaret Mead, cultural anthropologist

MEETING DATES AND SPEAKERS

Come to our meetings. Be a part of the solution, not the problem. Join the FMCCA. Here are the dates of our scheduled meetings for 2018. Bring your ideas and questions to our next meeting. We look forward to your participation.

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, PIC, MPO
May 15 – Daytime Tour of Manatee Technical College

September 18 – School Board Candidates
October 16 – TBA
November meeting moved to 12/04

Federation of Manatee County Community Associations, Inc. – APPLICATION FOR MEMBERSHIP
(Please Print)

Date: _____ Type of Application: (Check One) Individual Homeowners Association Neighborhood Organization
Name of Association or Organization: _____ Number of Households _____
Name of Contact Person(s): _____ Phone: _____
Mailing Address: _____
E-mail Address: _____ Name of Alternate Contact: _____ Phone: _____

Federation Annual Dues are \$.50 (fifty cents) for each household. (Number of Households X \$.50 = Annual Dues.) Not to exceed \$100.00. Cost for independent or single membership is \$10.00. Please make your check payable to FMCCA and mail with this form to Victor I. Coveduck, Treasurer, 5203 Palmetto Point Drive, Palmetto, FL 34221.

Remember - “Government is run by those who show up.”