

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, DECEMBER 18, 2007 – 3:00 P.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

Members Present: Robert B. Stewart, Vice-Chairman; Calvin D. Harris; Karen Williams Seel; Susan Latvala; John Morroni; and Kenneth T. Welch.

Members Absent: None.

Members Late: Ronnie E. Duncan, Chairman.

Members Excused: None.

Others Present: Fred E. Marquis, Interim County Administrator; James L. Bennett, Interim County Attorney; Clarethia N. Harris, Chief Deputy Clerk; and Michael P. Schmidt and Arlene Smitke, Deputy Clerks.

INVOCATION: Pastor Bill Losasso, Pathways Community Church, Clearwater

PLEDGE OF ALLEGIANCE: Commissioner Harris

PROCLAMATIONS AND AWARDS

1. Presentation to Charley and Winona Jones for their years of dedication and service to Palm Harbor.
2. Presentation of the National Homeless Persons' Memorial Day Proclamation to Sarah Snyder, Executive Director of Pinellas County Coalition for the Homeless.
3. Presentation of Certificates of Recognition to the people involved in the reproduction of the Historic Gandy Bridge Tower for the Friendship Trail Bridge.
4. Youth Advisory Committee presentation by Christine Ochsner, Chairman.

CONSENT AGENDA ITEMS NOS. 1 THROUGH 26 – APPROVED, WITH THE EXCEPTION OF ITEM NO. 13, WHICH WAS CONSIDERED UNDER ITEM NO. 27.

Motion	-	Commissioner Harris
Second	-	Commissioner Morroni
Vote	-	6 – 0

1a Minutes of regular meeting of November 6, 2007.

1b Correction to Minutes of September 18, 2007: Item No. 45 should read, “. . . adopted with the deletion of the reimbursement shown in Section Animal Services VII (a) . . .”

- # 2 Reports received for filing:
 - a. Pinellas County, Florida, Comprehensive Quarterly Financial Report for the Six Months Ended March 31, 2007.
 - b. Internal Audit Division, Clerk of the Circuit Court, Report No. 2007-17 dated November 8, 2007 – Audit of Purchasing Department Sole Source Contract Process.
 - c. Juvenile Welfare Board of Pinellas County Interim Financial Reports (Unaudited) dated June 30, 2007 and September 30, 2007.
 - d. Dock Fee Report for the month of October 2007.

- # 3 Vouchers and Bills Paid – Period of October 29 through November 21, 2007:
 - Payroll Journal Expenditures
 - Payroll Journal page numbers 1 through 2603 for the period of October 29 through November 2, 2007
 - Payroll checks numbered 553207 through 553463
 - Payroll Journal page numbers 1 through 2596 for the period of November 12 through November 16, 2007
 - Payroll checks numbered 553464 through 553759

 - Imprest Fund Expenditures
 - Replacement check numbered 751423
 - Manual checks numbered 751422 and 751424 through 751444
 - System checks numbered 902839 through 905995

 - ACH Transfers numbered 8 through 13

 - Wire Transfers numbered 009749 through 009915

- # 4 Miscellaneous items received for filing:
 - a. Manatee County Ordinance No. 07-09 adopted November 1, 2007, approving a Small Scale Amendment to the Future Land Use Map of the Comprehensive Plan.
 - b. City of Clearwater Ordinance No. 7835-07 re a proposed amendment to the Clearwater Community Development Code, public hearing to be held January 17, 2008; and Ordinances Nos. 7877-07 and 7880-07 adopted November 1, 2007, annexing certain properties.
 - c. Correspondence from City of Pinellas Park regarding an ordinance voluntarily annexing certain property; public hearing to be held January 24, 2008.
 - d. Resolutions opposing Bright House Networks relocation of Governmental Access Channels:
 - 1. City of Belleair Beach No. 2007-11 adopted November 5, 2007.
 - 2. City of Oldsmar No. 2007-24 adopted October 16, 2007.
 - 3. City of Safety Harbor No. 2007-20 adopted November 5, 2007.

4. City of St. Pete Beach No. 2007-15 adopted October 23, 2007.
 5. City of South Pasadena No. 2007-15 adopted November 13, 2007.
 6. Town of Indian Shores No. 11-2007 adopted November 13, 2007.
 - e. City of Clearwater Resolution No. 07-31 adopted October 17, 2007, endorsing model livable community concepts as recommended by the Metropolitan Planning Organization.
 - f. Pinellas County License Board for Children's Centers and Family Day Care Homes Resolution No. 07-02 relating to the administration of the fund balance from Fiscal Year 2006-2007, effective October 1, 2007.
 - g. Pinellas Park Water Management District Minutes of Regular Authority Meetings Nos. 12 and 1 dated September 13 and October 25, 2007, respectively, and financial statements for the months of August and September 2007.
- # 5 Change Order No. 3 (final) to the agreement with R.E. Purcell Construction Co., Inc. for Fiscal Year 2006 Countywide Pavement Preservation (PID Nos. 1208, 985, 565, 628, 1009, 921706, and 995) (Bid No. 056-12-C) approved decreasing the agreement amount by \$640,260.57 (revised agreement amount of \$3,843,804.50) and granting a time extension of 28 days; contract accepted as substantially complete as of June 3, 2007 and retainage released; Chairman authorized to sign and the Clerk to attest.
- # 6 Resolution No. 07-191 adopted declaring a parcel of county-owned real property surplus, granting authorization to conduct a private sale, establishing a sale price, and approving a contract for sale and purchase with, and County Deed to, Jack W. Hamrick, Jr. and Virginia R. Hamrick, for public right-of-way located on Overbrook Avenue; Chairman authorized to execute and the Clerk to attest the County Deed and record the resolution.
- # 7 Increase to Master Purchase Order – Chemical, Aluminum Sulfate with General Chemical Performance Products LLC (Contract No. 056-0316-B) approved, effective through May 1, 2008 (current Master Purchase Order expenditure to date, \$508,834.87; total estimated increase not to exceed \$155,000.00; revised total estimated expenditure not to exceed \$663,834.87).
- # 8a Award of Bid to Neptune Technology Group Inc., Hersey Meters Co., LLC, and Municipal Water Works, Inc. for Potable and Reclaimed Water Meters temporarily deferred to the January 8, 2008, meeting.
- # 8b Award of Bid to Lanzo Lining Services, Inc., for Sanitary Sewer Cured-in-Place Pipelining annual contract for fiscal year 2007/08 (PID No. 1949, Bid No. 078-0016-C) in the amount of \$980,360.00 on the basis of being the lowest responsive, responsible bid received meeting specifications (one-year contract with one additional one-year option of renewal); Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor and written approval as to form by the Office of the County Attorney.

December 18, 2007

9 DELEGATED ITEMS APPROVED BY THE COUNTY ADMINISTRATOR - RECEIVED FOR FILING (COUNTY ADMINISTRATION)

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Clerk of the Circuit Court	Release of Sewer Lien with Phillip W. and Lenora E. Cunnagin	Lien is paid in full.	11.8.07
Community Development	Satisfaction and Release of Claim with Estate of Doris D. Clapper, Deceased	Lien is paid in full.	11.14.07
Community Development	Specific Performance Agreements (SPA) with: (a) Pinellas Opportunity Council, Inc. for Heavy Household Cleaning and/or Lawn Maintenance Services for Low-Income Elderly Residents in Urban Pinellas County; and (b) Community Service Foundation, Inc. for Homebuyer Counseling for Central Housing Assistance Service for Low- and Moderate-Income Households	a) \$30,000.00 Community Development Block Grant funds; and (b) \$51,200.00 State Housing Initiatives Partnership (SHIP) funds	11.8.07
Community Development	SPA for Homebuyer Counseling and Getting a Mortgage Classes for Eligible Households with: (a) Community Service Foundation, Inc.;	(a) \$50,000.00 SHIP funds;	11.7.07
	(b) Tampa Bay Community Development Corporation (TBCDC);	(b) \$50,000.00 SHIP funds;	
	(c) Clearwater Neighborhood Housing Services Incorporated	(c) \$50,000.00 SHIP funds	
	SPAs with TBCDC for: (a) Reimbursement of Staff Salaries and Operating Costs of Foreclosure Prevention Program;	(a) \$45,000.00 SHIP funds;	
	(b) Reimbursements of Costs for The Homebuyers Club of Tampa Bay	(b) \$75,000.00 SHIP funds; and	

December 18, 2007

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
	SPA with WestCare Gulfcoast – Florida, Inc. for Operation of Turning Point Shelter	\$128,229.00	Emergency Shelter Grant funds
Community Development	Satisfactions and Releases of Claim with Estate of Kathy B. Monti, Deceased (2)	All liens have been paid in full.	11.1.07
Community Development	Release of Lien with Jack B. and Margaret Barr Olsen	Lien is paid in full.	10.24.07
Community Development	Release of Lien with William and David A. Heaberlin	Lien is paid in full.	10.22.07
Community Development	(a) Release of Lien with Johnnie Mae Woods, a/k/a Johnnie M. Woods; and (b) Satisfactions of Mortgage with Communicare, Inc.; and Tonya M. Denton	(a-b) Lien is paid in full.	10.11.07
Community Development	(a) Release of Leasehold Use Agreement with Center Against Spouse Abuse, Inc.;	(a) N/A;	10.1.07
	(b) Release of Land Use Restriction Agreement with Blessed Trinity Housing, Inc.;	(b) N/A;	
	(c) Satisfactions of Mortgage with: Ralph C. and Carl W. Geisler; Edward and Phyllis Yurish; and Gerhard E. and Diana Zimdars, as Trustees of the Zimdars Family Trust UDT 4/14/92; and (d) Releases of Lien with: Frank and Aretha Ford; Xing-Xing Chiang, f/k/a Xing-Xing Tobin; and Felicia Nicole Johnson	(c-d) All liens are paid in full.	
Convention & Visitors Bureau	Regional Grant Program Agreement with Florida Sports Foundation for Marketing Support for the 2007 Ford Ironman World Championship 70.3	\$30,000.00 pass – through funds only, retroactive to June 18, 2007, no County match	11.7.07

December 18, 2007

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Convention & Visitors Bureau (CVB)	Termination and Release of Agreement with Atlantic Productions, Inc. for New Product Marketing Grant	\$75,000.00 reallocated revenue to CVB budget	11.6.07
Culture, Education, and Leisure	(a) Letter of Agreement with Americans for the Arts to Support National Arts Marketing Project's Annual Marketing Workshops for Nonprofit Organizations; and (b) Agreement with The School Board of Pinellas County for Art Residencies and Teacher Professional Development for the 2007-2008 School Year	(a) \$10,000.00 annual revenue for 3-year term; and (b) \$26,500.00 revenue	11.26.07
Culture, Education, and Leisure	Agreements for Wastewater Services and Pretreatment with City of St. Petersburg for Fort DeSoto Park	\$148,500.00 total estimated expenditure over 10-year term	8.22.07
Economic Development	Amendment to Business Assistance Partnership Agreements with: (a) Greater Seminole Area Chamber of Commerce, Inc. (Chamber) and the City of Seminole; (b) Largo/Mid-Pinellas Chamber of Commerce, Inc. (Chamber) and the City of Largo; (c) Upper Tampa Bay Regional Chamber of Commerce, Inc. (Chamber) and the City of Oldsmar; and (d) Hispanic Business Initiative Fund – West Coast, Inc.	(a) \$21,000.00, plus equal Chamber and City of Seminole match; (b) \$22,000.00, plus equal Chamber and City of Largo match; (c) \$22,000.00, plus equal Chamber and City of Oldsmar match; and (d) \$17,500.00, no match	11.9.07

December 18, 2007

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Environmental Management	Grant Agreement with National Fish and Wildlife Foundation for Enhancement of Pinellas County Water Atlas	\$22,700.00 from National Oceanic and Atmospheric Administration, plus \$15,000.00 County match, plus \$64,040.00 anticipated Southwest Florida Water Management District (SWFWMD) match	11.29.07
Environmental Management	Lobbying and Litigation Certification for Grants and Cooperative Agreements with the Environmental Protection Agency	N/A	11.26.07
Environmental Management	Cooperative Funding Initiative Application Form with SWFWMD for Lake Tarpon Water Quality Area 6 Project	\$171,250.00 requested funds, plus equal anticipated County match and \$300,000.00 Federal Environmental Protection Agency Grant	11.7.07
Environmental Management	Interlocal Agreement with School Board for School Bus Diesel Retrofits	\$150,000.00	11.14.07
Environmental Management	Cooperative Funding Initiative Applications with SWFWMD for:		10.5.07
	(a) Pinellas County Water Quality Management Plan; and	(a) \$30,000.00 requested funds, plus equal anticipated County match; and	
	(b) Northwest Pinellas Resource Protection Plan	(b) \$115,000.00 requested funds, plus equal anticipated County match	

December 18, 2007

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Environmental Management	Historic Preservation Grant Award Agreement and Related Attachments Requiring Signature with State of Florida, Department of State, Division of Historical Resources for Weedon Island Preserve Gateway Tract Archaeological Survey for Evaluation of Land Management and Restoration of Shoreline Midden	\$19,200.00 grant revenue, plus equal County match	9.28.07
Facility Management	License Agreement with The Clearwater Community Volunteers, Inc. for Use of the Northwest Garage and West Parking Lot for the "Say No to Drugs" Holiday Classic 5 Kilometer (k) and 10k Race	\$30.00 revenue	11.15.07
Facility Management	License Agreement with Diocese of St. Petersburg, Inc. for Use of a Parking Lot Located at 2757 Alderman Road in Palm Harbor for Emergency Management Purposes during a Natural, Technical, or Man-Made Disaster	N/A; 5-year term with unlimited 5-year renewal options	11.7.07
Facility Management	License Agreement with Instar Services Group, L.P. for Use of Northwest Side of Turner Street Parking Lot as a Construction Staging Area	N/A	10.22.07
Facility Management	Supplemental Lease Agreement No. 17 with U.S. Coast Guard, General Services Administration for Antenna Site at Fort DeSoto Park	N/A	9.13.07
Health and Human Services	Amendment No. 3 to the Agreement with the State of Florida, Department of Health for Operation of the Pinellas County Health Department	N/A – re-distribution of funds	10.11.07
Justice and Consumer Services	Agreement with Town of Kenneth City and the Sheriff for Law Enforcement Services	\$9,940.00 annual revenue	11.16.07

December 18, 2007

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Justice and Consumer Services	Agreement with the City of Largo and the Sheriff for Latent Fingerprint Services, Forensic Services, and High Priority Forensic Service Calls	\$45,425.54 annual revenue	11.8.07
Justice and Consumer Services	Contracts for Law Enforcement Services with the Pinellas County Housing Authority and the Sheriff for:		11.1.07
	(a) French Villas, Lakeside Terrace, and Magnolia Gardens Assisted Living Facility; and (b) Rainbow Village	(a-b) \$60,730.07 each annual revenue	
Justice and Consumer Services	Interagency Agreement with Florida Department of Juvenile Justice for Juvenile Information Sharing Services	N/A	8.10.07
Justice and Consumer Services	Standard Contract with the State of Florida, Department of Revenue for Service of Process by the Sheriff for Child Support Enforcement	\$124,740.00 estimated annual revenue for 3-year period	6.16.07
Public Works	Approval to Issue a Check to Mike's Internet Café, Inc. and Michael R. Brassett in Exchange for Quitclaim Deed for a Parcel Needed for the Lake Seminole Alum Injection Project	\$10,000.00	11.9.07
#10	Approval of ratification of the signature of the Interim County Administrator approving the grant application to the Southwest Florida Water Management District (SWFWMD) for additional funding for the Lake Seminole Alum Treatment Project (PID 829) (Environmental Management).		
#11	Resolution No. 07-192 adopted authorizing the acceptance of a donation from the Friends of Weedon Island, Inc., of a new MP161SPF Ricoh copier (SN# M0179201752) for the Resource Center at the Weedon Island Preserve Cultural and Natural History Center (Environmental Management).		
#12	Amendment No. 4 to the Grant Agreement (No. G0052) with the Florida Department of Environmental Protection (FDEP) for the Lake Seminole Stormwater Project (CIP No.		

- 829) approved, extending the deadline from December 31, 2007 to June 30, 2008 and updating State audit requirements (no change in the county's funding for the project) (Environmental Management).
- #13 See Item No. 27.
- #14 Award of Bid to the Law Office of William H. Walker, Chartered, for lease of office space at 501 1st Avenue North, Suite 403, St. Petersburg, Florida (Contract No. 067-0685-R) in the amount of \$19,800.00 total annual lease revenue on the basis of being the only bid received (one-year lease commencing January 1, 2008 and ending December 31, 2008 with four additional one-year terms; each year's lease renewal and any subsequently exercised renewal period shall be subject to a fixed rental rate increase of four percent); Chairman authorized to sign and the Clerk to attest (Facility Management).
- #15 Second Amendment to Trail Lease with Florida Power Corporation doing business as Progress Energy Florida, Inc. (PEF) revising the legal description for the U.S. Highway 19/Enterprise Trail overpass approved; Chairman authorized to execute and the Clerk to attest (Facility Management/Public Works/Culture, Education, and Leisure).
- #16 Award of Bid to Autoway Dodge on October 16, 2007 for Vehicles and Equipment, Medium and Heavy Duty, rescinded on the basis of not being able to provide vehicles per specifications (Contract No. 067-0733-B); and bid reawarded to Freightliner of Tampa for a total expenditure not to exceed \$2,240.296.00 (Fleet Management).
- #17a Agreement between the City of Clearwater, Jim Coats, as Sheriff of Pinellas County, and Pinellas County for crime scene services and evidence and property storage for the Clearwater Police Department for the period from October 1, 2007 through September 30, 2008 in the amount of \$516,565.75 approved; Chairman authorized to sign agreement (Justice and Consumer Services).
- #17b Contract for Law Enforcement Services between the City of Seminole, Jim Coats, as Sheriff of Pinellas County, and Pinellas County for law enforcement services for the City of Seminole for the period from October 1, 2007 through September 30, 2008 in the amount of \$1,622,312.15 approved; Chairman authorized to sign the contract (Justice and Consumer Services).
- #18a Resolution No. 07-193 adopted supplementing the Fiscal Year 2008 General Fund budget (various grants) to appropriate earmarked receipts for a particular purpose as requested by the Sheriff (Management and Budget).
- #18b Resolution No. 07-194 adopted supplementing the Fiscal Year 2008 General Fund budget to appropriate earmarked receipts for a particular purpose and transfer to the Planning

Department (Local Update for Census Addresses [LUCA] grant) (Management and Budget).

- #19 Resolution No. 07-195 adopted to appropriate unanticipated beginning fund balance in the Fiscal Year 2008 General Fund budget in the amount of \$2,162,000.00 earmarked for a particular purpose (General Fund-Voting System Assistance Grant) (Management and Budget).
- #20 Fiscal Year 2008 Budget Amendment No. 7 was filed and made a part of the record (Companion Item No. 19) (Management and Budget).
- #21 Resolution No. 07-196 adopted reallocating reserves for future years in the Fiscal Year 2008 Utilities Sewer Renewal and Replacement Fund Budget (Management and Budget).
- #22 Sitting as the Countywide Planning Authority, the Board adopted Resolution No. 07-197 accepting the amended Countywide Future Land Use Plan Map and directing it to be filed with the Clerk of the Board of County Commissioners as the official Countywide Future Land Use Plan Map.
- #23 Interim County Administrator Marquis announced that staff plans to publish a notice regarding a Tax Equity Fiscal Responsibility Act (TEFRA) public hearing to be considered at the meeting on February 5, 2008 at 6:30 P.M. regarding Thomas Sign and Awning Company, Inc. and no objections were noted.
- #24 Sitting as the Emergency Medical Services (EMS) Authority, the Board adopted Resolution 07-198 certifying that monies received from the EMS Trust Fund shall be used solely to improve and expand pre-hospital emergency medical services (\$286,270.00 in grant revenue to be awarded by state EMS Trust Fund upon application); Chairman authorized to sign application.
- #25 Sitting as the Emergency Medical Services Authority, the Board approved execution of a Certificate of Public Convenience and Necessity to Mac-Transport to provide non-medical wheelchair transport services in Pinellas County.
- #26 Award of Quote for advertising the Delinquent Real Estate Tax and Tangible Personal Property Tax Lists for 2008 and 2009 to the Gulf Coast Business Review (Contract No. 078-0010-Q) in the amount of \$16,500.00 on the basis of being the lowest responsive, responsible quote received meeting specifications (24-month contract) (Tax Collector/Purchasing).

#27 Items for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court).

#13 Grant Funding Agreement with the Gulf Coast Museum of Art, Inc. (GCMA) in the amount of \$224,000.00 as a final reduction to the Museum’s operating line of credit (GCMA to provide an additional \$468.75) approved; Chairman authorized to execute and the Clerk to attest (Facility Management).

Michelle Turman, Executive Director of GCMA, provided an update of the GCMA’s achievements of the previous 18 months, reporting that gallery attendance, admissions, and revenue had all increased; whereupon, Commissioners Stewart and Morroni congratulated her on the museum’s success.

During discussion and in response to query by Commissioner Seel, it was clarified that the operating line of credit, which had been collateralized by museum endowment funds, would be repaid in full and documentation confirming that the debt has been satisfied would be required from the museum within 60 days of receipt of payment.

Motion - Commissioner Latvala
Second - Commissioner Harris
Vote - 6 – 0

#28 Fifth Amendment to Agreement for Gift Shop/Newsstand/Retail and Duty Free Concessions at St. Petersburg-Clearwater International Airport with Stellar Partners, Inc. to upgrade gift shop and add a kiosk area to serve Gates 9-12 approved (Contract No. 990-0302-P); Stellar to be granted a credit not to exceed \$80,000.00; base rent for duty-free store waived; waiver of rent on gift shop also provided should annual passenger enplanements fall below 350,000; amendment effective November 1, 2007. Chairman authorized to sign amendment and Clerk to attest after proper execution by the lessee and written approval as to form by the Office of the County Attorney.

Motion - Commissioner Latvala
Second - Commissioner Welch

Commissioner Seel requested that she be provided a several-year history of net income the county has received from Stellar Partners, Inc.

Vote - 6 – 0

#29 Approval of Amendment No. 2 to the Agreement with Republic Parking System, Inc. for Management and Operation of Paid Parking at St. Petersburg-Clearwater International Airport (Contract No. 012-303-P), extending the term for an additional 24 months; Chairman authorized to sign and Clerk to attest after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

Motion - Commissioner Harris
Second - Commissioner Seel
Vote - 6 – 0

- #30 First Amendment to Lease Agreement with Renewal Options between Market Place Hospitality, Inc. and Pinellas County for an inspection period extension of an additional 210 days approved; Chairman authorized to execute and the Clerk to attest.

Motion - Commissioner Latvala
Second - Commissioner Welch
Vote - 6 – 0

- #31 Award of Bid to Ajax Building Corporation for Airport Terminal Improvement Project– Phase 1 accepted in the amount of \$7,324,700.00, on the basis of being the lowest responsive, responsible bid received meeting specifications (Bid No. 067-0744-C); Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor.

Motion - Commissioner Latvala
Second - Commissioner Harris

At the request of Commissioner Morroni, Airport Director Noah Lagos provided an update regarding terminal improvements, reporting that further bid packages will come before the Board as the project moves forward; that the Federal Aviation Administration (FAA) shall provide the airport financial assistance for the implementation of various terminal improvements, of which all are indoors aside from the loading bridges.

Vote - 6 – 0

- #32 Change Order No. 2 to the agreement with R.E. Purcell Construction Co., Inc. for Florida Avenue and 14th Street North to Bee Branch Creek (Bid No. 067-0221-C; PID No. 969) approved increasing the agreement amount by \$48,892.80 (total revised agreement amount, \$1,903,965.93); Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Latvala
Second - Commissioner Welch
Vote - 6 – 0

- #33 Amendment No. 1 to Cooperative Funding Agreement (No. 06C00000024) with the Southwest Florida Water Management District (SWFWMD) for Bear Creek Channel Improvements (L379) (PID No. 922306) approved increasing the agreement amount by \$2,442,000.00 (total revised agreement amount, \$3,352,000.00); Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Welch
Second - Commissioner Latvala
Vote - 6 – 0

#34 Amendment No. 4 to Agreement for Consultant Services for Keystone Road (C.R. 582) – U.S. Highway 19 to East Lake Road (PID No. 920522) with Ayres Associates Inc. authorizing additional services in the amount of \$100,000.00 (revised total project cost, \$1,408,927.87) approved.

Motion - Commissioner Latvala
Second - Commissioner Welch
Vote - 6 – 0

#35 Agreements for professional engineering services to evaluate county facilities for storm resistance, each in the amount of \$250,000.00, with the following four firms approved; Chairman authorized to execute and the Clerk to attest.

1. Master Consulting Engineers, Inc.
2. Klar and Klar Architects, Inc.
3. Post, Buckley, Schuh & Jernigan, Inc.
4. Kerns – Whitehouse & Associates, Inc.

Motion - Commissioner Harris
Second - Commissioner Morroni
Vote - 6 – 0

#36 Interlocal Agreements with the cities of Belleair Beach, Belleair Bluffs, Dunedin, Gulfport, Kenneth City, Largo, Madeira Beach, and South Pasadena for Advanced Traffic Management System/Intelligent Transportation Systems (ATMS/ITS) and Roadway Transfer Agreement to transfer traffic control authority approved; Chairman authorized to execute and the Clerk to attest.

Interim County Administrator Marquis indicated that the Board of County Commissioners had received the Florida Organizational Member of the Year Award in recognition of their implementation and support of the Countywide Intelligent Transportation Project.

Motion - Commissioner Seel
Second - Commissioner Morroni
Vote - 6 – 0

#37 Contract for Sale and Purchase of a portion of two parcels of real property and contingency roadway and right-of-way requirements with 9, 8, 7, Inc. for Park Street/Starkey Road Project from Tyrone Boulevard to 84th Lane (PID Nos. 864 and 104) approved by extraordinary vote; authorization granted for issuance of a check in the amount of \$5,637.50 to Somers Title Company (purchase price, \$5,000.00; closing costs, \$637.50); Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Harris
Second - Commissioner Seel
Vote - 6 – 0

#38 Fifth Amendment to Agreement with Lorick Associates Consulting, Inc. for Highway Department Management Consultant Services for a not-to-exceed fee in the amount of \$26,282.00 (revised total estimated expenditure, \$671,595.00) (Contract No. 023-951-P) approved; Chairman authorized to sign and the Clerk to attest after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

Motion - Commissioner Seel
Second - Commissioner Welch
Vote - 6 – 0

#39 Resolution No. 07-199 (second resolution) adopted determining the necessity to construct roadway and drainage improvements to Park Street/Starkey Road from 84th Lane to Bryan Dairy Road and directing the condemnation of the necessary properties and property rights required for construction (PID No 865); Clerk authorized to record the resolution.

Motion - Commissioner Latvala
Second - Commissioner Welch

In response to queries by Commissioner Seel, Assistant County Administrator Peter J. Yauch indicated that the reconfiguration of four parcels that were under condemnation will involve no additional costs to the county; and that the county no longer utilizes the services of the consultant who prepared the inaccurate survey.

Vote - 6 – 0

#40 Settlement Agreement to the Refuse to Energy Plant Consolidated Management Agreement (CMA) for Operation and Maintenance of the Waste-to-Energy (WTE) Facility with Wheelabrator Pinellas Inc. (WPI) approved; total amount of Settlement Agreement not to exceed \$651,850.00 (amount due under Amendment No. 10, \$107,850.00; 50 percent of deductible under Physical Damage Policy, \$125,000.00; 50 percent of deductible under Business Interruption and Extra Expense Insurance, \$419,000.00).

Motion - Commissioner Welch
Second - Commissioner Seel
Vote - 6 – 0

#41 Amendment No. 6 to the engineering agreement with Jones, Edmunds & Associates, Inc. (JEA) for consulting services for Pinellas County Water Quality Study and Analysis (Project No. 610-210419-1309) increasing the agreement by \$2,659,238.25 for a total revised agreement amount of \$14,778,631.25 approved; Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Latvala
Second - Commissioner Welch
Vote - 6 – 0

#42 Amendment to Contract No. 034-573-P with Yesawich, Pepperdine, Brown & Russell, LLP, for advertising and promotional services for the St. Petersburg/Clearwater Area Convention and Visitors Bureau approved increasing the estimated annual expenditure by \$75,000.00 for a revised estimated annual expenditure in the amount of \$9,683,817.00 (Convention and Visitors Bureau).

Motion - Commissioner Seel
Second - Commissioner Harris
Vote - 6 – 0

#43 Resolution No. 07-200 adopted requiring members of the Housing Finance Authority to file annually a statement of financial interests with the County Supervisor of Elections (County Administrator).

Motion - Commissioner Morrioni
Second - Commissioner Welch

Responding to query by Commissioner Stewart, Mr. Marquis indicated that, due to changes in the State Statutes, the Board must take action to require them to continue to file.

Vote - 6 – 0

#44 Resolution No. 07-201 approving the Pinellas County Public Art and Design Master Plan and Resolution No. 07-202 approving the Fiscal Year (FY) 2007 and FY 2008 Public Art and Design Plans adopted. FY 2007 and FY 2008 program budgets are \$464,940.00 and \$469,590.00, respectively, for a total allocation in the amount of \$934,530.00 (Culture, Education, and Leisure).

Motion - Commissioner Latvala
Second - Commissioner Welch
Vote - 6 – 0

#45 Agreement with Motorola, Inc. for maintenance of the Pinellas County Intergovernmental 800 MegaHertz (MHz) Public Safety Radio and Data Communications System approved for an estimated annual expenditure not to exceed \$1,125,132.00 (Contract No. 078-0122-M); 57-month non-competitive service plan effective January 1, 2008, for a total expenditure not to exceed \$5,344,377.00; Chairman authorized to sign and the Clerk to attest after proper execution by the contractor and written approval as to form by the Office of the County Attorney (Emergency Communications).

Motion - Commissioner Latvala
Second - Commissioner Seel

The Board thanked Mr. Marquis and Radio Systems Manager Pam Montanari for negotiating the terms of the agreement.

Vote - 6 – 0

#46 Amendment to Contract for Sale and Purchase with Stephen J. Nymark and Sheri L. Nymark, Trustees, for purchase of real property for the Lake Seminole Alum Injection Project (PID No. 829) approved extending the closing date by 198 days, to terminate on December 31, 2007; Chairman authorized to sign and the Clerk to attest (Environmental Management/Real Estate).

Motion - Commissioner Morrioni
Second - Commissioner Latvala
Vote - 6 – 0

#47 Request for renewal of the Pinellas County Baker Act Transportation Exception Plan for Minors approved; Chairman authorized to submit letter to the Regional Director, Florida Department of Children and Families, Substance Abuse & Mental Health Program Office requesting renewal of the Plan (Health and Human Services).

Motion - Commissioner Latvala
Second - Commissioner Welch
Vote - 6 – 0

#48 Fiscal Year 2008 Budget Amendments Nos. 5 and 6 were filed and made a part of the record (Management and Budget).

Motion - Commissioner Latvala
Second - Commissioner Harris
Vote - 6 - 0

#49 Other Administrative Matters:

a. Third Amendment to Agreement for State Governmental Representation Services with Pennington, Moore, Wilkinson, Bell, and Dunbar, P.A. (Contract No. 034-595-P) approved expanding the scope of services and increasing the total contract amount by \$360,000.00; Chairman authorized to sign and the Clerk to attest after proper execution by the contractor and written approval as to form by the Office of the County Attorney (County Administrator/Purchasing).

Motion - Commissioner Latvala
Second - Commissioner Morrioni
Vote - 6 – 0

b. Interim County Administrator authorized to take action as he deems appropriate regarding the status of the County’s current 401(a) Special Pay Plan, including restating or terminating the plan and entering into any necessary agreements, after approval as to form by the Office of the County Attorney, and to provide any administrative directives necessary to accomplish such action; actions taken are to be presented to the Board for consideration and ratification at the earliest opportunity (Unified Personnel System).

Motion - Commissioner Latvala
Second - Commissioner Morrone
Vote - 6 – 0

- #50 County Attorney authorized to defend the County’s interest:
- a. U.S. Bank versus Lynn M. Baker, et al. - Circuit Civil Case No. 07-12358-CI-15 – Mortgage Foreclosure Involving a Community Development Mortgage.
 - b. Graydon Roger Boles versus Robert Hauser, Bush, Brian Armstrong, Pete Saroukos, and Crawford – U.S. District Court Case No. 8:07-CV-1655-T17-TGW – Allegations of Discrimination.

Motion - Commissioner Harris
Second - Commissioner Morrone
Vote - 6 – 0

- #51 County Attorney authorized to initiate litigation in the cases of:
- a. Pinellas County versus Kenneth Charlton and John Kashtan - Negligence in the Operation of a Motor Vehicle.
 - b. Pinellas County versus Christopher Digiulio - Negligence in the Operation of a Motor Vehicle.
 - c. Pinellas County versus Marcus Leisure - Negligence in the Operation of a Motor Vehicle.
 - d. Pinellas County versus Gunwant S. Dhaliwal, Tejinder K. Dhaliwal, and K. & T. Tractor Services, Inc. – Litigation involving Illegal Mangrove Trimming and Removal and Illegal Dredge and Fill (ratification of authority granted by Chairman-Elect).

Motion - Commissioner Harris
Second - Commissioner Morrone
Vote - 6 – 0

- #52 County Attorney authorized to initiate housing discrimination litigation on behalf of Mrs. Frances Wertheimer in the complaint of Frances Wertheimer versus Caliber Condominium Management, Inc. – Housing and Urban Development Case No. 04-07-1201-8; PCO Case No. 07-034.

Motion - Commissioner Harris
Second - Commissioner Welch
Vote - 6 – 0

- #53 Amendment to Contract for Legal Services with Allen, Norton & Blue, P.A. as outside counsel relating to employment contracts and relationships with the County Attorney and County Administrator approved allowing for reimbursement of computerized legal research costs; Amendment is retroactive to August 31, 2007.

Motion	-	Commissioner Morroni
Second	-	Commissioner Welch
Vote	-	6 – 0

* * * *

At this time, 4:03 P.M., Chairman Duncan entered the meeting and assumed the gavel.

* * * *

#54 Resolution No. 07-203 adopted authorizing the transfer of custodial responsibility, pursuant to the public records law, for Sheriff’s Office claims and litigation files to the Pinellas County Sheriff.

Motion	-	Commissioner Latvala
Second	-	Commissioner Harris

Attorney Bennett related that the Sheriff will assume responsibility for all of his risk matters at the beginning of the new year; and that the County Attorney’s Office will continue to handle the Sheriff’s Worker’s Compensation matters; whereupon, responding to queries by the members, he provided information regarding upcoming changes in the County Attorney’s and Sheriff’s Offices regarding litigation matters, including staffing and budgetary considerations, and Assistant County Administrator Mark S. Woodard provided input.

Following discussion, Chairman Duncan suggested that an update be presented to the Board, possibly in February, before the beginning of the Fiscal Year 2008/09 budget cycle, and Commissioner Stewart concurred.

Vote - 6 – 1 (Commissioner Welch dissenting)

#55 County Attorney Miscellaneous – None.

#56 Acting as the Emergency Medical Services Authority, the Board approved the appointment of Captain Steven G. Knight to the Emergency Medical Services Advisory Council as Advanced Life Support Provider Alternate Representative from St. Petersburg Fire and Rescue.

Motion	-	Commissioner Morroni
Second	-	Commissioner Harris
Vote	-	7 – 0

#57 Arrangement with United Healthcare to provide qualified retirees with a Medicare Advantage Plan alternative option for health coverage approved; Chairman authorized to sign the Low Income Subsidy form, as required by the Center for Medicare and Medicaid Services.

Motion - Commissioner Harris
Second - Commissioner Welch
Vote - 7 - 0

#58 County Administrator Reports:

- a. Mr. Marquis reported that the State has approved the Shell Key Management Plan.
- b. Mr. Marquis distributed a handout, a copy of which has been filed and made a part of the record, and related that staff has re-evaluated the School Board site at Keystone and East Lake Roads for possible construction of recreation fields for the East Lake Youth Sports Association (ELYSA) at a cost lower than originally anticipated; whereupon, he requested authority to proceed with the design/build concept to solicit proposals for the project, and no objections were noted.

Responding to queries by the members, Mr. Marquis related that the construction would require mitigation of partial wetlands on the site; and that this site is intended to fulfill commitments made under a lease agreement with ELYSA. Culture, Education, and Leisure Director Paul A. Cozzie provided input, indicating that funding sources identified in the handout are only suggested possibilities; and that staff will continue to look at sites throughout the County for additional fields.

In response to comments by Commissioner Stewart, Mr. Marquis indicated that his intent is to provide a status update and seek direction from the Board at this time; and that the matter will be brought back to the Board as an agenda item after the first of the year.

#59 Margot Pequignot reappointed to the Public Employees Relations Commission (PERC) for a four-year term.

Motion - Commissioner Seel
Second - Commissioner Stewart
Vote - 7 - 0

#60 Susan Rollins Gehring, H. William Heller, Barbara Hubbard, John Mascoll, Peter Rivellini, and Julie Scales reappointed to the Pinellas County Cultural Council for four-year terms beginning in January 2008 and ending in December 2011.

Motion - Commissioner Stewart
Second - Commissioner Morrone
Vote - 7 - 0

#61 Individual Commissioner appointments to various boards and committees for calendar year 2008 approved.

Motion - Commissioner Harris
Second - Commissioner Welch

Commissioner Welch requested the addition of Oscar Robinson as his appointee to the Historical Commission; and Commissioner Harris accepted the change.

Vote - 7 - 0

#62 Appointments by the Board of County Commissioners as a whole to the East Lake Community Library Advisory Board, the Health Permits Board, and the Pinellas Opportunity Council, Inc. Board of Directors approved.

Motion - Commissioner Morrone
Second - Commissioner Welch
Vote - 7 - 0

#63 Miscellaneous Appointments:

a. Following discussion, Commissioners Latvala, Morrone, and Duncan appointed to the Joint Pinellas Planning Council/Countywide Planning Authority Annexation Subcommittee.

Motion - Commissioner Morrone
Second - Commissioner Latvala
Vote - 7 - 0

b. Appointments to the Pinellas Opportunity Council, Inc. Board of Directors were included under Agenda Item No. 62.

c. Appointment to *Parents, Speak Up!* Task Force temporarily deferred; Commissioner Harris to continue to serve until a new appointment is made.

d. Janice Starling reappointed to the Pinellas Community Foundation Board of Governors.

Motion - Commissioner Morrone
Second - Commissioner Latvala
Vote - 7 - 0

#63e County Commission Miscellaneous:

1. Commissioner Morrone expressed thanks and extended holiday wishes to colleagues, employees, and County residents.

2. Commissioner Harris expressed thanks and extended holiday wishes to colleagues, County residents, and members of the Youth Advisory Committee.
3. Commissioner Seel referred to a draft ordinance establishing a Countywide Historic Preservation Program, a copy of which has been filed and made a part of the record, and requested that the members review the document and provide input; discussion ensued. Extended holiday wishes to County employees and citizens.
4. Commissioner Latvala related that the desalination plant has passed its acceptance test; requested support to have County Attorney draft an amendment of the human rights ordinance to prevent discrimination regarding sexual orientation, and no objections were noted; thanked colleagues and extended holiday wishes.
5. Commissioner Welch provided updates on the Consumer Fireworks Task Force and the Gubernatorial Drug Paraphernalia Task Force; congratulated Gibbs Junior Gladiators Varsity Flyweight Football Team on their State Championship; and extended holiday wishes.
6. Commissioner Stewart reminded everyone of the Friday Nights and Garden Lights program at the Florida Botanical Gardens, from 6 to 9 P.M. on December 21; and extended holiday wishes.
7. Chairman Duncan expressed appreciation to the Commissioners for their leadership and work on various boards and issues; thanked employees, and extended holiday wishes.

* * * *

At this time, 5:03 P.M., the meeting was recessed and reconvened at 6:31 P.M. with all members in attendance.

* * * *

CITIZENS TO BE HEARD

Mark Klutho, Largo, re stupidity, waste.
Greg Pound: Steward Israel, Largo, re family life in Pinellas County.
John Thomas, St. Petersburg, re Tierra Verde overlay and annexation.
Jack Parker, Tierra Verde, re annexation of Tierra Verde.

All public hearing items have been properly advertised. Affidavits of Publication have been received and are on file in the Board Records Department.

SCHEDULED PUBLIC HEARING – COUNTYWIDE PLANNING AUTHORITY

#64 Master Development Plan Review for La Entrada industrial/mixed-use project temporarily deferred to March 11, 2008 meeting. No citizens appeared to be heard.
Motion - Commissioner Welch
Second - Commissioner Latvala
Vote - 7 – 0

SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS

#65 Resolution No. 07-204 adopted granting petition of Scott and Jody Farrell to vacate a portion of a drainage easement in Lot 56, The Woods at Lake Seminole-Unit Two Subdivision; authority granted for Clerk to record the resolution. Letters of no objection received from all appropriate parties. Interested property owners were notified as to the date of the public hearing. Staff recommended the vacation be granted. No correspondence has been received. No citizens appeared to be heard.

Scott and Jody Farrell, Largo, indicated that they wish to build a pool at their home and urged the Board to approve the petition.

Motion - Commissioner Morrioni
Second - Commissioner Latvala
Vote - 7 – 0

#66 Ordinance No. 07-58 adopted waiving the annual application requirement for the veteran’s disability property tax discount after an initial application is made and the discount granted. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Latvala
Second - Commissioner Morrioni
Vote - 7 - 0

At this time, Mr. Marquis read the following announcement:

Public hearing agenda item No. 67 is an amendment to the County's Comprehensive Plan proposed today for final action. Agenda Item No. 67 was originally transmitted by the Board to the Florida Department of Community Affairs (DCA) for review following your public hearing on August 21, 2007. The DCA is trying to better inform citizens of their determinations regarding whether or not Plan amendments are found to be in compliance with State law. Therefore, any citizen who wishes to receive notice directly from the DCA regarding their final compliance determination can see the Board Reporter and leave their name and address. That person's address will then be forwarded to the DCA, and that person will be notified directly by the DCA. Citizens will also be informed that they have 21 days after the DCA publishes their determination to make any additional comment.

#67 Ordinance No. 07-59 adopting the Public School Facilities Element and associated amendments to the Capital Improvements Element and the Intergovernmental Coordination Element of the Pinellas County Comprehensive Plan adopted. No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Latvala
Second	-	Commissioner Welch
Vote	-	7 - 0

#68 Mr. Marquis recommended that Items Nos. 68 and 69 be addressed with one staff
& presentation; and Attorney Bennett advised that it would be appropriate to do so, but that
#69 a separate motion and vote would be required for each item. Clerk of Court Ken Burke read each public hearing item into the record, noting that one telephone call has been received in opposition to a water rate increase.

Director of Utilities Pick Talley related that an increase of three percent is proposed for both the retail and wholesale water rates in fiscal years 2007/08 and 2008/09; that the retail increase will amount to 12 cents per thousand gallons for each year; and that the wholesale rate will increase eight cents per thousand gallons in the first year and nine cents in the second year.

Referring to a PowerPoint presentation, Mr. Talley reviewed Water System revenue and forecasts for fiscal years 2005/06 through 2011/12 and explained that revenues have been less than expenses for a number of years; that revenue from the sale of wellfields to Tampa Bay Water in 1998 has been used as a rate stabilization fund, offsetting increased costs and allowing smaller rate increases; that revenues will need to equal expenses before the fund reaches the minimum reserve requirement of \$15 million; and that a three percent increase is the minimum amount necessary to meet the debt service coverage requirement for a bond issue to build the proposed water blending plant. He reviewed water rate history, presented a comparison of Pinellas Water System rates to other rates in the area, and indicated that the new rates will be effective February 1, 2008

for retail and March 1, 2008 for wholesale water sales; whereupon, he responded to queries by the members.

In response to the Chairman's call for persons wishing to speak, Ewa Kunowska, Clearwater Beach, stated her concerns.

Resolution No. 07-205 adopting revised retail water rates for the Pinellas County Water System was adopted.

Motion	-	Commissioner Welch
Second	-	Commissioner Latvala
Vote	-	7-0

Resolution No. 07-206 adopting revised wholesale water rates for the Pinellas County Water System was adopted.

Motion	-	Commissioner Seel
Second	-	Commissioner Welch
Vote	-	7-0

- #70a Resolution No. 07-207 adopted granting the application of GIB Properties, LLC, through Steven A. Williamson, Esquire, Johnson, Pope, Bokor, Ruppel & Burns, LLP, Representative, for a change of zoning from E-1, Estate Residential, to IL, Institutional Limited, a development agreement to allow a total of 32 beds within the existing facility, and a variance to allow nine parking spaces where 32 parking spaces are required; Ordinance No. 07-60 adopted approving a change in land use designation from Residential Suburban to Institutional (Z/LU-1-10-07), subject to further review and approval by the Pinellas Planning Council and Countywide Planning Authority, re a parcel of land containing approximately 1.5 acres located on the southwest corner of Park Boulevard and 128th Street North, Seminole (street address: 7770 128th Street North). Staff recommended approval of the application based on the Local Planning Agency Report. No correspondence has been received.

Director of Building and Development Review Services Paul Cassel referred to an aerial photograph and related that an assisted living facility (ALF) has existed on the property since 1996; that the bed count was increased to 24 in 2004; that neighbors were initially opposed to the facility but that it has been well accepted with few if any complaints; and that the operator is an expert in ALFs, having several other facilities throughout the county; whereupon, referring to a zoning map, he described surrounding land uses and indicated that, although the proposed zoning will allow for 37 beds, the development agreement will limit the number to 32 and impose other restrictions; that ALFs require very few parking spaces; and that there will be no physical expansion of the facility.

Responding to query by Commissioner Stewart, Mr. Cassel related that the Board of Adjustment had denied a Special Exception for the facility in 1996; that the case had

been reheard in accordance with a court order; and that the Special Exception was subsequently approved.

Steven A. Williamson, Esquire, Johnson, Pope, Bokor, Ruppel & Burns, LLP, indicated that the applicant is requesting the addition of eight beds without expansion of the existing facility; that the County wishes to incorporate ALFs into neighborhoods to make them look like homes; and that 32 parking spaces are not needed and would create the appearance of a commercial facility rather than a home.

Responding to the Chairman's call for persons wishing to be heard, Tom Kroll, Seminole, spoke in opposition to the proposed changes; whereupon, Mr. Marquis reiterated that the development agreement will restrict the capacity to 32 beds; and Mr. Williamson noted that the Institutional zoning is consistent with the property's current use; that many of the neighbors have indicated their support of the request; and that the Board would have the right to rescind the variance if parking becomes an issue.

Motion	-	Commissioner Morrone
Second	-	Commissioner Latvala
Vote	-	7 - 0

#70b Ordinance No. 07-61 adopted granting the application of Travis P. Rodgers Land Trust, c/o Audrey E. Rodgers through Steve and Dawn Tartaglia, SMT Consultants, Inc., Representatives, for a change in land use designation from Industrial Limited to Commercial General (LU-3-10-07), subject to further review and approval by the Pinellas Planning Council and Countywide Planning Authority, re a parcel of land containing approximately 1.1 acres located on the east side of Starkey Road at the intersection with 20th Avenue Southeast, Largo (street address: 1999 Starkey Road). Staff recommended approval of the application based on the Local Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Latvala
Second	-	Commissioner Stewart

Responding to queries by Commissioner Seel, Mr. Marquis related that Pinellas County Economic Development Director Mike Meidel has rescinded his objection to the application; and Director of Building and Development Review Services Paul Cassel indicated that the Commercial General land use would permit an adult use on the site, subject to distance requirements for churches, schools, and certain other uses; that a restaurant has been operated on the site since the 1970s; that the property to the south is zoned Commercial; that the intent of the application, as he explained to Mr. Meidel, is to recognize the historical commercial use of the site; and that the property is for sale and the applicant wishes to eliminate any conflicts.

Thereupon, in response to query by Commissioner Welch, the applicant indicated that the Bridges Restaurant was operated on the site since 1973; that the vacant lot to the north is

December 18, 2007

for sale but the restaurant is not; and that the building will be rented as a turnkey restaurant upon completion of a new roof.

Vote - 7 - 0

#71 Meeting adjourned at 7:48 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk