

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COUNTY ADMINISTRATIVE CENTER
1112 Manatee Avenue West
Bradenton, Florida
February 20, 2018**

Present were:

Priscilla Whisenant Trace, Chairman
Robin DiSabatino, First Vice-Chairman
Carol Whitmore, Second Vice-Chairman
Charles B. Smith, Third Vice-Chairman
Vanessa Baugh (entered during meeting)
Betsy Benac
Stephen R. Jonsson

Also present were:

Ed Hunzeker, County Administrator
Mitchell O. Palmer, County Attorney
Vicki Tessmer, Board Records Supervisor, Clerk of the Circuit Court



Chairman Trace called the meeting to order at 9:00 a.m.

AGENDA

BC20170220DOC001

1. JAIL MEDICAL

Cheri Coryea, Deputy County Administrator, explained the members of the Public Safety Coordinating Council were invited to attend the meeting.



Joshua Barnett, Health Care Services Manager, utilized a slide presentation to discuss priorities regarding jail medical including third party private insurance, dental programs, and cost of contract and additions. There was also discussion regarding Sheriff Office services including transports for outside medical and correctional. Florida Statutes require Counties provide medical services to jails. There are 40 full time employees handling health care at the jail. Currently there are no electronic medical records or telemedicine for the jail. Armor Correctional Health (Armor), the jail medical management company, has contracted with Manatee Memorial Hospital.



Mr. Barnett continued the slides and discussed the major drivers of cost for jail medical including lack of adequate updated technology, changes in local leadership roles and corporate management, utilization management, inmate conditions, and infirmary utilization. Outside medical services continue to grow in cost, exceeding \$2 million in 2017. Co-pays are collected for medical services, and in FY16/17 a total of \$20,258.02 was collected. Mr. Barnett reviewed trends. Emergency room visits have increased 683 percent since 2013. Since this is a large contract, staff needs to be careful with going out for a bid for the jail medical services. Manatee County has a high number of uninsured citizens and this increases costs. Research for solutions includes looking at the Florida Sheriff Association, Ocala Community care for inmate medical services, review agreements and proposed development. Mr. Barnett reviewed a list of recommendations.



Discussion ensued regarding percentage of uninsured inmates, only one RN for discharge, best care for least amount of cost, what are the rates charged by the hospital for care, medicaid, important to get the inmates into the health care system when they are

released, report from Armor, exclusion for private insurance, large jump in ambulance services, average age of inmates, increase of emergency room (ER) visits, potential for lawsuits, Health Information Exchange (HIE), how are addictions treated, how much cost related to opioids, do costs include deputy to take inmates to ER, inmates with mental issues, civil citations, changes in legislation regarding length of incarceration, and transport costs to the ER.

 Mr. Barnett stated they have been able to work with Armor regarding staffing, and the discharge nurse is a dedicated position. Medicaid is unable to pay for services while inmates are incarcerated. All care is the responsibility of the County Commission while an inmate is in jail. There is a large percentage of men who are not eligible for medicaid. There are negative pressure rooms in the jail. Ambulance costs are on the rise. Even if population age is minimal, if they have not had access to coverage, the conditions are considered more chronic and the costs increase. Armor negotiates costs for services. Staff is working on implementing the HIE. They use vivitrol to treat opioid addiction, since it is the best option to use in a secure setting. There is a group of behavioral health providers who assist with evaluations prior to being admitted to the jail. Deputy transportation costs are not accounted for in this budget.

(Deport Commissioner Smith)

 Captain Susan Jones, Manatee Sheriff Office, stated the infirmary is designed to hold 25 inmates.

 Vicki Freeman, Armor, explained only 58 of the over 500 inmates transported to the ER were sent by Armor, the remainder were sent because the transporting officer felt the inmate needed to be sent for further evaluations. The cost paid by Armor was actually down from last year, and Armor pays approximately \$2,500 for ambulance transport. Manatee Memorial Hospital is the only hospital with a negotiated rate. Inmates have also been treated at out of county hospitals since the rates are so much better. She stated \$1.3 million was paid out for the top four patients. She provided several statistics regarding patients and individual costs.

 Discussion continued regarding where does the medical record go and discharge planning, importance of the HIE, dialysis is available on site, are there ways to keep the population down, and indigent health care,

 Don Morgan, Armor, explained the process for health care begins in the squad car. The choices being made at the beginning include an officer screening, and there are chances to divert booking into the jail. The process has changed as to calculating the costs, which is reflected in the new numbers. Control over cost is limited, and choices regarding bail affect the numbers. Referrals from chronic care clinic are intercepted prior to leaving the jail. Addictions are treated in the jail, and the patient who responds to treatment has a lesser chance of returning to jail. Only inmates who were part of the HIE prior to incarceration will be in the system.

(Enter Commissioner Baugh)

 Heather Doyle, State Attorney's office, addressed diverting addicts and veterans from being incarcerated. Special court systems are in place including drug court, veterans court and a court for women who are victims of human trafficking. Their primary goal is to help the offenders get well. The State Attorney just started a work program with the County to avoid jail time for non-violent offenders, and is expanding to low level felony offenders.

When someone is arrested the law requires them to have first appearance within 24 hours. They are in contact with the Public Defenders office to see if there are other options rather than jail time.

 Dr. Jennifer Bencie, Florida Health, Manatee County Director, explained the Department of Health is responsible for testing for HIV and tuberculosis. The jail staff is required to report diseases that could cause an outbreak at the jail.

 Angel Tabarus and Dr. Janet Taylor, Medical professionals at the jail, described examples of diverting patient care to the proper facilities. When individuals are arrested, it is important to consider underlying issues regarding mental illness. Access to Centerstone is important, and limited health care is a problem.

There being no public comment, Chairman Trace closed public comment. BC20170220DOC002

RECESS/RECONVENE: 10:25 a.m.-10:30 a.m. All Commissioners present except Commissioner Smith.

2. **SHORT TERM RENTALS**

 Ed Hunzeker, County Administrator, introduced the topic.

 Ken Burton, Jr., Tax Collector, stated Manatee County collects local option tourist taxes. He explained the ordinance requires individuals to submit tourist taxes for rentals. The Tax Collector will not sign a contract with Airbnb at this time. Only 60 percent of counties that collect tourist taxes have an agreement with Airbnb.

 Michelle Schultz, Tax Collectors office, explained there are audits taking place each month with property owners collecting tourist taxes. The system is web based, and there is a “failure to file” report. Owners and property managers can be linked together. There are 6800 active accounts in the system, with over 22,000 accounts total. There are currently Airbnb clients set up in the County as well as other vacation rental companies.

Discussion ensued regarding the number of Airbnb and VRBO units in the County, and the amount of revenue being lost.

(Enter Commissioner Smith)

Ms. Schultz explained there are several companies that will charge to provide a database of rentals. The Tax Collector’s office will respond to reports of rentals. Airbnb customers do contact the office, but Airbnb’s website does not enforce listers to register for tourist tax collection. Property managers report rentals and taxes are collected.

 Discussion continued that the County is not Bed and Breakfast (B&B) friendly due to the regulations, City’s have business registrations for rentals, should not be allowed to run overnight rentals in residential areas, educate property owners that they need to register with the Tax Collector, working with the Property Appraiser regarding homestead exemptions when rentals are occurring, and properties that have several vehicles parked overnight.

Mr. Burton noted when tax bills are sent, there is an insert regarding tourist taxes. There is also a tip line available on-line.

 Elliot Falcione, Convention and Visitors Bureau Director, explained registering with the tax collector is an easy process, and tourist taxes are collected.

 Jeff Bowman, Code Enforcement Chief, utilized a slide presentation addressing a memo issued by Kate Zamboni, Assistant County Attorney regarding vacation rentals.

 Kate Zamboni, Assistant County Attorney, continued the slides and discussed the background of home sharing. Hosts advertise availability on Airbnb, VRBO/Homeawa, and other online vacation rental sites. Airbnb does let hosts know if a local tourist development tax exists. The tax is owed by every person who rents or leases living quarters or accommodations. Hosts are responsible for collecting tax from guests and remitting the tax to the Tax Collector. Ms. Zamboni discussed State requirements including Section 509.013(4)(a) Florida Statutes. Bed and breakfast inn is a type of transient public lodging. The State also defines vacation rentals. The Florida Department of Business and Professional Regulation is authorized to inspect public lodging establishments. Local governments retain authority to inspect public lodging establishments for compliance with the Florida Building Codes. Section 509.032(7)(b) stated a local law, ordinance, or regulation may not prohibit rentals or regulate the duration or frequency of rental of vacation rentals. She reviewed cities that have grandfathered regulations.

 Ms. Zamboni continued the slides and discussed the Manatee County Land Development Code (LDC) definitions and regulations (Section 531.7) regarding B&Bs. An administrative or special permit would be required to open a B&B. Casa Calm, applied for an administrative permit to operate as a B&B, but sanitation standards are preempted by Florida Statutes, and are under the Department of Health rules. There are no County-specific regulations that govern short-term rentals of an entire home or dwelling unit.

 Mr. Bowman, continued the slides and addressed code enforcement issues with vacation rentals.

 Ms. Zamboni discussed examples of licenses for rentals from other Florida jurisdictions, including the local cities establishing requirements for short term rentals.

 Mr. Bowman reviewed options for Manatee County including keeping things status quo or establishing a registration requirement. Options also include creating a new accessory use for renting out a room in a single family home for the first three rooms being rented out. He reviewed suggestions for regulating the accessory use and revising the definitions in the LDC. Any rental less than six months would be considered transient.

 Ms Zamboni cautioned that any rental occurring within a residential home, would affect the homestead exemption. There are three bills being considered by the legislator regarding local regulations on short-term rentals.

 Mr. Bowman clarified that Sarasota does not have an administrative permit process.

 Discussion ensued regarding Sarasota County increased their collection of bed taxes by contracting with Airbnb, 44 audits since 2014, zoning regulations need to be updated, a single family home can have six unrelated people living in it, but they must be non-transient, and need the least amount of regulations while collection the most taxes.

(Depart Commissioner Baugh during discussion)

 Ms. Schultz addressed the differences between Sarasota and Manatee County.

 Discussion continued regarding zoning and capturing tourist taxes are different items, ensure the County is able to restrict rentals, protect homeowners, certain zoning districts allow B&Bs, and cost of special permits,

 Ms. Zamboni clarified County requirements for B&Bs, and noted the County cannot prohibit short-term rentals. Home Owner Associations, on the other hand, can regulate vacation rentals.

 Upon question by Commissioner Smith, Mr. Bowman addressed issues with large numbers of people living in apartments.

 Ms. Schultz explained individual reporting is required. Airbnb needs to meet the County needs as well as the other online rental listing services. The Tax Collector does not want a private entity to be responsible for collecting the County's tourist tax.

(Depart Comm Whit)

 Ms. Zamboni replied that establishing a local registration requirement could help with identifying rentals.

 Discussion continued regarding a private company to address Airbnb issues, and the least restrictive options.

 John Barnott, Building and Development Services, Director, stated if the County established requirements, staff will enforce the Code.

 Ms Zamboni reiterated that all three beach communities require a registration.

 Ms. Schultz stated the Tax Collector is in touch with private companies.

 Discussion ensued regarding tax collection issues, important to compare all pieces when looking at other Counties, and provide information on revenue collected by other Counties

 Carl Malone stated he operates rentals.

 Cornelia Wynn is an Airbnb host and stated Airbnb is not a B&B, and stated if there are no complaints, why have regulations. She is now set up to pay tourist taxes.

 Frank Gomez discussed collecting the tourist tax via Airbnb.

There no further public comment, Chairman Trace closed public comment.

Mr. Palmer stated various options are provided in the handout for the Board to consider.

Discussion ensued regarding zoning regulating for public health and safety issues only.

BC20170220DOC003

RECESS/RECONVENE: 11:27 a.m.-1:30 p.m. All Commissioners present except Commissioner Smith.

 John Barnott, Building and Development Services Director, introduced Glenna Campna, Project manager, and stated the go live date for Accela is February 27, 2018. Several tasks are required for the go-live to take place, and there is a backup plan. The permitting office will close on February 21 at noon, but will reopen for manual processing on February 22. There will be a full work day on Sunday February 25, with the office closed on February 26.

3.
4. **TRANSPORTATION CONCURRENCY AND IMPACT FEES TO MOBILITY FEES**

 Clark Davis, Transition Planning Manager, utilized a slide presentation to introduce the possibility of migrating the transportation impact fee system to a mobility fee system. The Florida Department of Transportation has concurrency levels of service, which is a performance standard. Level of service must be achieved and maintained. There are limited ways to fund projects. Funding is either with state and federal money, or through impact fees. The County has retained a conventional transportation concurrency system, which has been in place since 1989. Some changes were made in 2011 with the Community Planning Act.

(Enter Commissioner Smith)

 Mr. Davis continued the slides and discussed impacts, proportionate share, the concurrency process, mobility fees, and which transition from highway-only level of service to a multimodal, mobility plan system. Implementing a mobility fee system would replace concurrency and transportation impact fees. The mobility plan considers transportation needs for all modes, establishes fees attributable to new growth, and payments address concurrency. Some requirements will remain, such as traffic studies. The mobility fee process should be shorter starting with being assessed, paid and then development proceeds. Factors to consider include the concurrency system has been in place for almost 30 years, and is deeply embedded in policy and development, and affects comprehensive plan policy. The mobility plan would also help quality of life and multimodal access including complete streets, making sure the right kind of road is in the right place. Staff recommends exploring the mobility fee option and identifying mechanisms to allow for a smooth transition, and coordinate with other impact fee updates.

 Mr. Davis responded to a question and explained the impact fee system needs to be updated, and the other impact fees systems would remain the same. The mobility fee allows for more flexibility and district fees. Any update takes the economy into consideration. A mobility fee should not cost considerably more than impact fees.

 Discussion ensued about taking impact fees from 90 to 100 percent, and how would current projects be affected.

 Mr. Davis stated the mobility fee would offer some flexibility, but still concentrate on capacity. The mobility fee will look like an impact fees, so discussions will be similar to what they are now. Because the mobility fee is capacity focused, widening existing roadways would still be a viable project.

 Discussion ensued regarding will mobility fees be paid by new homes, and provide a matrix of the difference between impact fees and mobility fees.

 Dan Schlandt, Deputy County Administrator, stated this is the beginning of the

conversation and the process is long to change to mobility fees. The mobility fee has other multimodal components, but capacity is still a major driver.

 Mr. Davis explained the process is simpler for a mobility fee, but it is still paid at the same time as impact fees. He clarified that staff is bringing this forward. The initial transition would cost more than an impact fee, but in the end, they should cost the same.

 Sage Kamaya, Deputy Director Traffic Management, explained a mobility fee could be used for a different area, then where it is collected.

 Discussion continued that there is a need for improvements, educate the public regarding where the fees come from, transportation concurrency is no longer required by State law, avoid abandoning projects, impact fees would still be collected for parks, public safety and schools, determining the cost of mobility fee, the formula is similar with plan based projects and consumption based system, how other jurisdictions are using mobility fees, how will quality of life be improved, cost of impact, and need more information.

 Mr. Schlandt stated there is a lot of effort that goes into the concurrency program, and staff will provide further information.

 Further discussion continued regarding cost comparisons.

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

 Discussion ensued regarding pros and cons, public/private partnerships, transportation concurrency exception areas, and how long would it take to complete a mobility fee stud.

 Darenda Marvin, Planner with Grimes, Goebel, Grimes, Hawkins, Gladfelter, and Glavano, PL, stated the mobility fee eliminates the concurrency program. Mobility fees allow development to be directed to certain area where transportation improvements are not needed, therefore the fee will be lower.

 John Osborne, Infrastructure Strategic Plan Official, stated there is a opportunity to look at other modes of transportation, and to look at each area. The mobility fee may be more appropriate for certain areas that do not require improvements.

 Darenda Marvin explained the mobility fee, replaces the transportation impact fee. The mobility fee in other counties is a little less then what developers are paying in Manatee County, but depend on where the development is occurring. In the eastern portions of Sarasota County they use what is known as centers, which would provide opportunity for other modes of transportation. Concurrency requirements are only good for a certain amount of time, and a mobility fee does not have an expiration date.

 Further discussion continued about specific goals in Pasco County, there was large commitment in Pasco to buy impact fees back, and they were trying to diversify development.

 John Mass, Manatee Sarasota Building Association, stated mobility fees can be a better process for the County and building community.

BC20170220DOC004

RECESS/RECONVENE: 2:45 p.m.-2:50 p.m. All Commissioners present.

5. **WORKFORCE PLANNING**

 Ed Hunzeker, County Administrator, introduced Rodney Barnes, Human Resources Director.

 Rodney Barnes, Human Resources Director, used a slide presentation to provide an update to workforce planning challenges, and enhancing the Board's understanding of how these challenges have contributed to stress. The workforce is aging and retirees are being replaced with millennials. The unemployment rate is down, and finding skilled workers is becoming more challenging. Increased competition for skilled workers is bringing up the price of jobs. Workplace stressors include consistent turn over, increased demands on departments to expand services with little to no increase in staffing levels, while also working short staffed along with external market pressure. The County is implementing a new approach to recruiting, compensation and training. He reviewed demographics by age, employee average years of service by age, drop program and retirement, annual turnover, hot jobs in the trades with high rates of turnover, reasons for employee turnover, and turnover by years of service (most turnover within one year of hire).

 Discussion ensued regarding providing a breakdown of statistic by department.

 Mr. Barnes noted the highest turnover was in EMS and focus groups revealed the biggest contributor to leaving was their partner. Turnover in EMS has decreased by 20 percent. He continued the slides reviewing turnover by age, millennial turnover, average employee tenure, and employee health with stress levels on the rise. External pressures include low unemployment rates (3.4.percent), competition for talent continues to escalate, and there is not enough local talent. He reviewed census data, and noted the available labor pool has reduce by 30 percent. Other local employers are seeking staff as well. The average weekly rate in Manatee County lags behind Sarasota, Hillsborough and Pinellas Counties. The consumer price index has also increased. Manatee is trying to make gains with pay increases compared to surrounding Counties.

 Mr. Barnes elaborated on recruiting for the future, a learning management system for training, new employee onboarding/orientation through the first full year of employment, compensation plan and utilizing PayScale for pay studies. Pay for performance is working with 82.1 percent of employees moving up to 68 percent.

 Discussion ensued regarding employees in drop leaving early due to stress and life demands.

 Mr. Hunzeker explained people can retire after 30 years, and leave to start a new career. Many of employees state the work is hard, and there is no downtime, which is why they leave. Manatee County has the best health care plan, which is enticing to employees, and the pay increases are also helping to keep some employees.

 Discussion continued that these problems are not unique to Manatee County, quick turnover in the first year, more leadership training, benefit package options, results from job fairs, why qualified applicants are not being hired, and employees in drop.

(Depart Commissioner Baugh during discussion)

 John Bass, County applicant, discussed disabled individuals applying for jobs, and their loyalty to an employer when they are hired.

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

Discussion continued regarding costs to solve issues, present data and how aggressive does the Board want to be to fix problems, and have employees sign an agreement to stay for a certain amount of time after training.

BC20170220DOC005

ADJOURN

There being no further business, Chairman Trace adjourned the meeting at 4:20 p.m.

Minutes Approved: _____