

JANUARY 22, 1976

SPECIAL

The Board of County Commissioners of Manatee County, Florida, met in SPECIAL SESSION in the Court House in Bradenton, Florida, Thursday, January 22, 1976 at 9:33 A. M.

Present were Commissioners L. H. Fortson, Jr., Chairman  
Dan P. McClure, Vice Chairman  
Ken Burton  
Kenneth D. Dierks  
Robert C. Hutches

Also present were H. E. Bourne, Deputy Clerk  
Richard A. Hampton, County Attorney

The meeting was called to order by Chairman Fortson.

LIBRARY SYSTEM - STATE FUNDS

Ralph H. Haben, State Representative, District 71, presented State Warrants for the Library System (1) \$16,773.00 - State Aid grant for Public Library Services for fiscal year October 1, 1975 to September 30, 1976 (2) \$4,909.00 - second quarterly payment to extend Library Service to the Blind and Physically Handicapped (3) \$7,598.00 - second quarterly payment of grant to extend Library Service to the Aging.

LEGISLATIVE HEARINGS; SARASOTA, CITY & COUNTY

Mr. Haben announced that Legislative Hearings would be held in the Commission Meeting Room on Wednesday, February 4, 1976 at 2:00 P.M.

Mr. McClure referred to proposed legislation attempting to get the City of Sarasota out of both Regional Planning Councils. Mr. Hampton noted that he had reported his opinion that under the present law there was nothing unlawful in this and there would have to be an amendment to the law which established the Regional Planning Councils that would say that no governmental unit can belong to more than one such Council. (The City of Sarasota belongs to Tampa Bay Regional Planning Council and the County of Sarasota belongs to the new South Area Planning Council.)

Mr. Hutches added that the City of Sarasota only pays the city's portion as far as membership is concerned and TBRPC feels that in the future they should have to pay the full capita rate that Sarasota County would have paid in order to be a voting member.

INSURANCE ON EQUIPMENT (BIPD)

The Chairman read recommendation by Martin Williams on bid on insurance covering Bodily Injury and Property Damage Liability for County-owned vehicles, which was submitted by Wyman-Green and Blalock. Only one bid was received, and he recommended acceptance of

WYMAN-GREEN & BLALOCK, representing	
Aetna Insurance Company	Premium \$22,468.00 (No ded.)
Endorsement to insure 14 Datsun	
Vehicles (leased)	2,873.00

Mr. Burton (Insurance Committee) stated he had discussed the possibility of a binder on the insurance with Wyman-Green & Blalock until such time the County can decide what type of coverage is desired. This item was deferred until later in the meeting when Mr. Williams could be present for discussion.

TRANSPORTATION DEPARTMENT (BUSES) - NO SMOKING

Motion was made by Mr. McClure to approve, as a matter of policy, ban on smoking on buses operated by Manatee County Transportation Department, as recommended by Philip Davis, Operational Supervisor, Transportation Department. Motion was seconded by Mr. Dierks and carried unanimously.

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TRANSPORTATION DEPARTMENT: BUS SCHEDULES

Mr. Davis recommended that the following changes be incorporated into the new printed schedules and route changes in the BUS SYSTEM (Transportation Department):

- A) West Manatee bus to stop at Blake Memorial Hospital once each hour instead of every other hour.
- B) Shopping Center bus should begin service to Oneco Center by eliminating that portion of route through Golf Lake Estates; proceed on 51st Avenue, to 301, to Oneco Road, then on old route back to court house; serving Golf Lake Estates on Oneco Road rather than through-park service.
- C. Palmetto bus should provide inbound service from Palmetto Trailer Park by slight doubling back on outbound route, saving those passengers from having to ride entire thirty minute round trip to get to court house.
- D. Service to River Isles Community with East Bradenton bus by eliminating Braden Castle loop from three of the runs and extending these runs to River Isles on East Manatee Avenue (State Road 64) was NOT recommended at this time. While some commitment had been made to River Isles to commence service on February 1st, service should be delayed until additional equipment is received.

Motion was made by Mr. McClure to approve recommendations for the bus schedules as submitted by Mr. Davis. Motion was seconded by Mr. Dierks and carried unanimously.

BUS ROUTES DELETED

Based on 15-day review and average passenger per day, per mile, Mr. Davis recommended the elimination of the following from the Bus route schedule:

- |                      |                                 |             |
|----------------------|---------------------------------|-------------|
| 1) Palmetto:         | 6:15 A.M., 6:15 P.M., 6:45 P.M. | (8.7 miles) |
| 2) West Bradenton:   | 7:15 A.M., 6:15 P.M.            | (8.5 miles) |
| 3) Shopping Centers: | 6:45 P.M.                       | (13 miles)  |
| 4) East Bradenton:   | 5:45 P.M., 6:45 P.M.            | (7.5 miles) |
| 5) Samoset:          | 7:15 A.M., 7:15 P.M.            | (7 miles)   |

He said elimination of these trips will allow more timely and efficient service to be provided during those times when demand is greatest.

Motion was made by Mr. McClure that deletions in the bus routes be approved as recommended by Mr. Davis. Motion was seconded by Mr. Dierks and carried unanimously.

BUS REPAIRS

Mr. Davis requested approval of a purchase order to have emergency engine and transmission repairs on two buses. He said one bus will have engine and transmission repairs under warranty; the second bus will have transmission repairs under warranty, the second engine will be warranted by the manufacturer of the bus rather than the engine manufacturer; however, Coastal Power (who will make repairs) needs purchase order and county in turn will go back to the manufacturer of the buses, Twin Coach, to be reimbursed for that money.

Motion was made by Mr. McClure to approve and grant the request by Mr. Davis for purchase order for repairs to the two buses. Motion was seconded by Mr. Dierks and carried unanimously.

LEASE ADDITION BUSES

Mr. Davis requested permission to pursue the possibility of leasing additional buses from Tampa at \$125.00 per month on a six-months basis.

He could then work out a transfer point at the Airport and take over, in thirty days from notice to Cities Transit, the lucrative Bayshore Route, and work with development of other routes. The Chairman advised that this was included under his responsibilities - to develop plans and make recommendations - and there would be no objections to his proceeding with this investigation.

**NEW COUNTY ATTORNEY APPOINTED: E. N. FAY, JR.**

In response to recommendation by the special committee (Chairman Fortson, Richard A. Hampton, Kenneth D. Dierks, Ken Cleary and George Harrison) appointed by the Board, the Chairman read a letter from E. N. Fay, Jr., proposing to perform the professional services as the County Attorneys for Manatee County on the basis as outlined in said letter (dated January 22, 1976). The firm of Mann, Fay and Price, Chartered, would be providing legal services for the Board of County Commissioners, the Manatee County Port Authority; and the Manatee County Utilities System, of general nature, on basis of \$50.00 per hour with minimum monthly fee of at least \$1,500.00. Other special services would be handled for reasonable attorneys' fees.

Mr. Hampton advised that the fee arrangement outlined by Mr. Fay was fair and appropriate; that there would be close cooperation between the two offices and his files would be available to him at any time on a loan basis and that Goodrich & Hampton would be available for consultation in those areas they might be of assistance.

Chairman Fortson noted that if Mr. Fay is appointed he will resign as attorney for the School Board pending appointment of a new attorney for that Board.

Motion was made by Mr. Hutches to approve the recommendation submitted by the Committee and accept E. N. Fay, Jr., of the firm of Mann, Fay and Price, Chartered, as County Attorney, effective February 1, 1976. Motion was seconded by Mr. Dierks. Upon question, Mr. Burton was advised that consideration had been given to employing an attorney on a full time basis but was not deemed feasible and to the best interest of the county economically at this time. Voting "Aye" were Mr. Hutches, Mr. Dierks and Mr. McClure. Mr. Burton voted "No". The Chairman voted "Aye" and motion carried by four to one vote.

**INSURANCE (BIPD): COUNTY VEHICLES & EQUIPMENT**

Martin Williams, Purchasing Director, and Neville Pilling (employed to investigate insurance matters for the County) were present to discuss recommendation for awarding binder on insurance on county vehicles and equipment (Bodily Injury and property damage) to Wyman-Green & Blalock. Various insurance coverages were discussed and Mr. Pilling suggested the County carry the least statutory limit of property damage.

Motion was made by Mr. Burton to award bid, in form of binder covering period January 22, 1976 to January 22, 1977, to Wyman-Green & Blalock as agent for Aetna Insurance Company for total premium of \$25,341.00, as recommended by Mr. Williams. Motion was seconded by Mr. Hutches and carried unanimously.

**HOLIDAYS**

Mr. Hutches moved for approval of County holidays as provided in Section 1, para. (h) of the Personnel Policy Rules and Procedures Resolution dated December 18, 1975, to be observed for offices and departments under the jurisdiction of the Board of County Commissioners. Motion was seconded by Mr. Dierks. Mr. Burton referred to one-half day on March 26, DeSoto Day, stating that all activities would be in the morning and no benefit for holiday beginning at 12 noon.

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Motion was made by Mr. McClure to extend March 26, DeSoto Day, to a full-day holiday and delete May 31, Memorial Day. Motion died for lack of a second. Mr. Dierks withdrew his second to the motion by Mr. Hutches. Mr. Hutches rescinded his previous motion and moved for the approval of the list of holidays as submitted with the exception of March 26, 1976, which would be designated as a full-day holiday. Motion was seconded by Mr. Burton. Voting "Aye" were Mr. Hutches, Mr. Burton and Chairman Fortson. Mr. Dierks and Mr. McClure voted "No". Motion carried.

Holidays 1976

March 26	Friday	DeSoto Day
May 31	Monday	Memorial Day
July 4	(Sunday)	
July 5 (observe)	Monday	Independence Day
September 6	Monday	Labor Day
November 11	Thursday	Veterans Day
November 25	Thursday	Thanksgiving Day
November 26	Friday	and Friday after
December 25	(Saturday)	Christmas
December 24 (observe)	Friday	
December 31 (observe)	Friday	
1977 - January 1	(Saturday)	New Years

## PERSONNEL POLICY RULES &amp; PROCEDURES

Motion was made by Mr. Hutches to amend the Personnel Policy Rules and Procedures Resolution dated December 18, 1975, Section 1, paragraph (h), extending March 26, 1976, DeSoto Day, to a full-day holiday instead of half-day. Motion was seconded by Mr. Burton. Voting "Aye", Mr. Hutches, Mr. Burton and Chairman Fortson. Mr. Dierks and Mr. McClure voted "No." Motion carried. P-4

## SPEED LIMITS: 8TH STREET COURT; 9TH STREET WEST

Mr. Hutches moved for the adoption of Resolutions establishing speed limits on certain county maintained roads as follows:

- (1) 8th Street Court East from its intersection with 44th Avenue East to its intersection with 7th Street East

25 M.P.H.

RESOLUTION RECORDED Y25 159

- (2) 19th Street West from its intersection with 55th Avenue to its intersection with 57th Avenue

25 M.P.H.

RESOLUTION RECORDED Y25 160

Motion was seconded by Mr. Dierks and carried unanimously.

## LOT CLEARING LIEN

Motion was made by Mr. Hutches to authorize execution of Notice of Lien, LC-998, in the amount of \$55.00 against certain lands owned by Lloyd G. Sheehan, as Trustee. Motion was seconded by Mr. Burton and carried unanimously.

## LAWSUIT: PALMA SOLA GOLF CLUB, INC., VS COUNTY

Mr. Hampton advised that no hearing date had been scheduled on civil suit filed by Palma Sola Golf Club, Inc., seeking injunction against County in petition of alternate writ of mandamus for repayment of sewer system construction trust funds in the amount of \$182,558.04 expended for construction of the County Golf Course facility.

## ZONING

Mr. Hutches referred to

R-703 LEONA LEGRANDE

Request for rezone from R-1A to PR (Professional District) for the purpose of a real estate office in a residence located at 2316 - 29th Avenue West.

which was deferred from the meeting of the Board of County Commissioners on October 30, 1974. This item was discussed again on November 6, 1974 and was deferred pending amendment to the Zoning Ordinance to allow business occupations in residences. Although that amendment to the Zoning Ordinance was adopted, petition by Mrs. LeGrande, under R-703, was not brought back to the Board for consideration.

Upon being advised by the County Attorney as to procedure that might be followed, Mr. Hutches moved that R-703 for rezone from R-1A to PR(Professional District) be DENIED; that the Planning Director be authorized to waive filing fee on application by Mrs. Leona LeGrande for a Special Exception under Z-98 Amendment to the Zoning Ordinance (Home Occupations), to be brought before this Board for consideration. Motion was seconded by Mr. Dierks and carried unanimously.

## PLANNING &amp; DEVELOPMENT DEPARTMENT (RADIO LICENSE)

Motion was made by Mr. Dierks that the Chairman be authorized to execute application to the Federal Communications Commission for renewal of radio license (Base and Mobile KEW-970) for the Planning and Development Department. Motion was seconded by Mr. Hutches and carried unanimously.

## HELICOPTER LANDING - MINI MART

Art Fischer, Director of Planning and Development, submitted request for a temporary use permit to permit landing of a helicopter for promotional activities (January 23, 1976) at the Mini Mart (formerly Montgomery Ward) Shopping Center, located at the corner of U.S. 41 and Cortez Road. Chairman Fortson stated that this would require Federal Aviation Administration approval. No action was taken by the Board pending further investigation, information, etc.

## HOUSING VIOLATIONS

Mr. Fischer submitted a list of persons cited with housing code violations, specifically Section 103.2 UNSAFE BUILDINGS, and Section 308.1 DANGEROUS STRUCTURES, of the Southern Standard Housing Code, with request that the County Attorney be authorized to initiate civil action against two of the three persons named. He recommended no action against Marcus F. Raye at this time as Mr. Raye had complied with the code on eight of nine violations and the last would be taken care of as soon as possible.

Motion was made by Mr. McClure that the County Attorney take no legal action regarding housing code violations by Marcus F. Raye, pending further review and recommendation back to the Board. (Ref. Harrison Ind, Subdivision - in District 1). Motion was seconded by Mr. Hutches and carried unanimously.

Motion was made by Mr. Hutches that the County Attorney be authorized to initiate civil action against David Rhodes for housing code violations on property in Center Park Subdivision (District 5). Motion was seconded by Mr. Burton and carried unanimously.

Motion was made by Mr. Burton that the County Attorney be authorized to initiate civil action against Peter J. Elferdink and Faye Jean Winfree in connection with housing code violations on property in

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the R. F. Willis Plat of New Memphis Subdivision (District 1).  
Motion was seconded by Mr. Hutches and carried unanimously.

**TRANSIT SYSTEM - TAX EXEMPT**

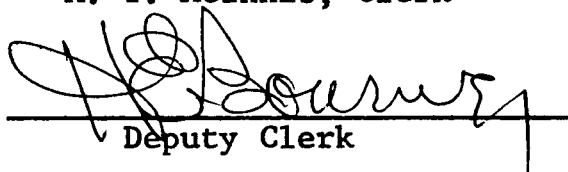
Motion was made by Mr. Burton that the Deputy Clerk be authorized to withdraw the amount of \$139.00 shown as sales tax on Purchase Order from the Transit System (Transportation Department). Motion was seconded by Mr. Hutches and carried unanimously.

**MEETING ADJOURNED**

There being no further business the meeting was declared adjourned.

Attest:

M. T. McInnis, Clerk

  
\_\_\_\_\_  
Deputy Clerk

APPROVED: 17 February 1976

  
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Chairman