

FEBRUARY 10, 1976

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in Bradenton, Florida, Tuesday, February 10, 1976 at 9:05 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 Henry E. Bourne, Deputy Clerk
 E. N. Fay, Jr., County Attorney

The meeting was called to order by Chairman Fortson.

CONDEMNATION SUITS: SETTLEMENT

Motion was made by Mr. McClure that the former County Attorney, Richard A. Hampton, be authorized to settle five parcels involved in condemnation suits as outlined in his letter of February 9, 1976; identified as follows:

Parcel No.	4	Manatee County vs Whitcomb	\$ 2,230.00
	5	Manatee County vs Whitcomb	1,906.00
	11	Manatee County vs Manatee Fruit Company	923.00
	5	Manatee County vs Hunt	1,600.00
	102	Manatee County vs Petroleum Facilities	22,350.00

Motion was seconded by Mr. Hutches and carried unanimously.

ZONING

Art Fischer, Director of Planning and Development, presented recommendations of the Planning Commission.

R-748 DICK & LOTIS POPE REZONE TO C-DISTRICT DEFERRED

(Thomas A. Howze, agent) - Request to change zoning from A (General Agricultural) to C (Neighborhood Commercial) to permit a convenience store on .87 acre, located 5603 State Road 64 East.

The Planning Commission recommended denial.

Art Fischer recommended that this petition be deferred until February 17, 1976 as requested by the attorney for the petitioner. There were no objections.

75-S-8(F) MANATEE PALMS, UNIT II PLAT APPROVED

The Planning Commission recommended approval of plat of subdivision (10 acres m/1) located 65th St. E. and 2nd Ave. E., Bradenton. (George Smith, agent)

Mr. Hutches moved for the approval of the final plat of MANATEE PALMS, UNIT II, Subdivision and the adoption of the appropriate Resolution. Motion was seconded by Mr. Burton and carried unanimously. ZONING
RESOLUTION RECORDED

S-146A(P) DESOTO LAKES COLONY COUNTRY CLUB (PALM AIRE,
SECTION "E")

(Lloyd Hagaman, agent) - The Planning Commission recommended approval of resubmission of preliminary plat for a multi-housing subdivision on 27 acres m/1 located 3700 Country Club Way.

Mr. Hutches moved for the approval of resubmitted preliminary plat of DeSOTO LAKES COLONY COUNTRY CLUB (Palm Aire, Section "E") and adoption of the appropriate resolution. Motion was seconded by Mr. Burton and carried unanimously. ZONING
RESOLUTION RECORDED

FEBRUARY 10, 1976

(Cont'd)

AMBULANCE: EMERGENCY MEDICAL SERVICES GRANT AWARD

Bill Curry, Department of Health and Rehabilitative Services, presented a check in the amount of \$35,000 for award of Emergency Medical Services grant for the purchase of a new ambulance and telemetry equipment.

HIGHWAY & ENGINEERING: BIDS ON FORKLIFT TRUCK

Bids were opened on one Diesel Fork Lift Truck for the Highway and Engineering Department as follows:

YALE INDUSTRIES TRUCK, Gulf Atlantic	\$33,845.75; \$40,952.25
ROZIER MACHINERY COMPANY	33,620.00
FLORIDA CLARK LIFT, INC.	29,996.00
R. B. CURLIN, INC.	No Bid

The bids were referred to the County Engineer for tabulation and recommendation back to the Board.

PINEY POINT MOBILE ESTATES: ROCK PAYNE ROAD

In connection with agreement by the owners and developers of Piney Point Mobile Estates that \$25,000 would be placed in escrow for the paving of Rock Payne Road along the south boundary of that development, the County Engineer was instructed not to proceed with improvement of this road until the funds were placed in escrow for this purpose.

BOAT RAMPS/DOCKS - MANATEE AVENUE W.

Motion was made by Mr. McClure to approve and authorize execution of request to the Florida Department of Transportation for Permit for new boat ramp facilities and docks to be located along Manatee Avenue Causeway (State Road 64) on Palma Sola Bay. Motion was seconded by Mr. Hutches and carried unanimously.

STREET PAVING PROGRAM

Request from the County Engineer for authorization to proceed with street paving program, outlined in memorandum dated February 5, 1976, was deferred pending discussion at a future work session.

SECONDARY ROAD FUNDS: 1976-1977

Mr. McClure moved for the adoption of a Resolution requesting the Department of Transportation to expend Manatee County's Secondary Road Funds for construction and maintenance of roads and streets in Manatee County for the five-year period beginning 1976 in accordance with listed priorities. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED Y25-181

MCUS - FUND TRANSFERS

Mr. McClure moved for the adoption of a Resolution authorizing Ellis First National Bank to transfer \$100,000 from \$3,485 R & R Account to \$3,485 Revenue Account. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED Y25-182

Mr. McClure moved for the adoption of a Resolution authorizing Southeast National Bank to transfer \$90,000 from \$24.4M Reserve Account to \$24.4M P & I Account. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED Y25-183

\$23.4M SEWER REVENUE BONDS, SALE OF

In connection with procedure for cancelling \$1,125,000 of the \$24.4M Sewer Revenue and Assessment Bonds, Richard Hampton, former County Attorney, recommended that the Director of Manatee County Utilities System file a written report to the Board concerning any sale of the bonds and that a form resolution be adopted confirming that the sale has taken place and directing the appropriate agency to cancel the bonds. (County Attorney to prepare forms and documents.)

SARASOTA COUNTY: WATER CONSUMPTION

Chris Angelidis, Director of Manatee County Utilities System, gave a progress report on the consumption of water by Sarasota County, purchased from Manatee County.

HOUSEMOVING PERMITS

Application for a Housemoving Permit by MAGGIE SANDERS to move a building from 1323 63rd Ave. E. Palmetto, to 1721 2nd Ave. W. - Premoving No. 5171 was deferred for one week.

Motion was made by Mr. Hutches to approve application of EARL MILLER to move a building from Hanson & Highway 41, Sarasota, to west side of Linden Road Premoving No. 5170.

Motion was seconded by Mr. Burton and carried unanimously.

INSURANCE: MEDICAL & HOSPITALIZATION

Martin Williams and Neville Pilling recommended that the proposal received from Crown Life Insurance Company, for medical and hospitalization coverage for county employees, be accepted subject to opinion by the County Attorney.

Motion was made by Mr. Burton to accept proposal of Crown Life Insurance Company for medical and hospitalization coverage for county employees and dependents:

Employee premium \$20.39 Dependent premium \$21.36
as recommended. Motion was seconded by Mr. Dierks and carried unanimously. (Effective March 1, 1976.)

INSURANCE: AMBULANCE EMPLOYEES

Question of possibility of a separate insurance policy for employees and dependents (to include maternity benefits) of Manatee County Ambulance Service was deferred for review.

PLANNING & DEVELOPMENT: BIDS ON AUTOMOBILES

Motion was made by Mr. McClure that the Planning and Development Department be authorized to advertise for bids to be received on four 1976 automobiles. (Recommended by Martin Williams.) Motion was seconded by Mr. Dierks and carried unanimously.

Mr. Williams was instructed to contact other county departments regarding their upcoming automobile needs.

MOBILE HOME INSTALLATION: UNIVERSITY OF FLORIDA**AGRICULTURAL RESEARCH CENTER**

Art Fischer advised that that the Mobile Home Installation Code requires inspection of every mobilehome moved into the unincorporated areas of Manatee County; that Florida Power and Light Company has refused to turn on power to mobilehomes moved to the University of Florida's Agricultural Research Center since permits were not obtained from the County. The State contends it is not subject to local zoning codes and the County is requested to authorize Florida Power and Light Company to release the power.

This matter was deferred pending discussion between the County Attorney and the Director of the Research Center.

TRAIL DRIVE-IN: FLEA MARKET

Mr. Fischer advised that the owner of the Trail Drive-In Theater had been denied a building permit for a flea market on the site, based on action by this Board on denying a Special Exception for this purpose, and he believed that the owners of the theater might file suit against the County.

FEBRUARY 10, 1976

(Cont'd)

The matter was referred to the County Attorney.

PHILLIPS PETROLEUM DRI: TAMPA BAY REGIONAL PLANNING COUNCIL

Mr. Hutches advised that the Executive Committee of Tampa Bay Regional Planning Council voted eight to one to accept the report submitted on Phillips Petroleum DRI by the TBRPC staff; that he voted against receiving the report because he felt it was not consistent or complete, nor did it have specific guidelines outlined.

Motion was made by Mr. McClure that the Board give Mr. Hutches a vote of confidence. Motion was seconded by Mr. Dierks and carried unanimously.

PUBLIC DEFENDER: TELEPHONE SERVICE

Motion was made by Mr. Burton that the request from the Public Defender for Manatee County to provide telephone service for his local office be denied. Motion was seconded by Mr. McClure. Voting "Aye" were Mr. Mr. Burton, Mr. McClure, Mr. Hutches and Chairman Fortson. Mr. Dierks voted "No". Motion carried.

CONSTRUCTION TRUST FUNDS

Upon motion by Mr. Hutches, seconded by Mr. McClure, Resolution was unanimously adopted authorizing payment of

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-169

MCUS General Control Fund	\$12,436.60
Kell Construction, Inc.	4,415.40
The Bradenton Herald	69.30
Shopping Guide	67.50

RESOLUTION RECORDED Y25-184

Upon motion by Mr. Hutches, seconded by Mr. Dierks, Resolution was unanimously adopted authorizing payment of

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-158

Woodruff & Sons, Inc.	\$ 4,601.93
Kell Construction, Inc.	7,666.75
Ethyl Corporation	13,824.00
MCUS General Control Fund	7,946.62

RESOLUTION RECORDED Y25-185

Upon motion by Mr. Hutches, seconded by Mr. McClure, Resolution was unanimously adopted authorizing payment of

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 B-65

The Robar Company	\$ 360.00
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RESOLUTION RECORDED Y25-186

STATE ROAD NO. 684: MCUS PERMIT

Upon motion by Mr. Hutches, seconded by Mr. Burton, Resolution was unanimously adopted authorizing the appropriate county officers to execute application to the State Department of Transportation for Use Permit for Manatee County Utilities System to construct and maintain utility line within the right of way of State Road No. 684, Section No. 13040.

RESOLUTION RECORDED Y25-187

WELFARE DEPARTMENT: HOSPITALIZATION/LIEN FORM

The County Attorney referred to Resolution and Agreement for Lien in connection with hospitalization for indigent residents of Manatee County, approved on February 3, 1976 subject to his approval. He

advised he had research the matter and found that the Legislative Act authorizing this procedure was enacted specifically for Sarasota County and there does not appear to be any general or special law applicable to Manatee County. He noted that an Ordinance could be adopted for the purpose of approving the Agreement for Lien.

Motion was made by Mr. McClure to rescind the motion adopting the resolution authorizing hospital care assistance with provisions for an Agreement for Lien; under date of February 3, 1976, and that the County Attorney proceed with advertising (and drafting) of an appropriate ordinance. Motion was seconded by Mr. Hutches and carried unanimously.

BUDGET AMENDMENT: COUNTY JUDGE

No formal action was taken on request of County Judge Claflin Garst that the Board consider a Resolution for an item to item transfer within his budget (\$130 from equipment to postage).

ELECTION OFFICIALS: APPOINTMENTS

Motion was made by Mr. Burton to approve appointment of Election Officials (Inspectors and Clerks) for each of the voting precincts for the Presidential Preference Primary and Special Election to be held March 9, 1976. Motion was seconded by Mr. McClure and carried unanimously. RECORDED Y25-188

CERTIFICATES OF CORRECTION (E & I)

Upon motion by Mr. Hutches, seconded by Mr. McClure, the Board unanimously approved Certificates of Correction (E & I) for the current tax roll as recommended by the County Property Appraiser.

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Hutches, seconded by Mr. McClure and carried unanimously, Requisitions and Warrant Lists from February 3 to February 10, 1976 were approved and Warrant Lists to February 17, 1976 were authorized, said Warrant Lists to include any payrolls during that period upon condition that all employes have performed their services in accordance with time and payroll practices of the County Departments.

BILLS FOR PAYMENT

Upon motion by Mr. McClure, seconded by Mr. Burton, the following bills were unanimously approved for payment:

Manatee Memorial Hospital	\$ 1,981.93; \$1,450.00;
	19.00
Medical Examiners	2,432.00
Kearney, Matthews & Mulock	481.00
Professional Ancillary Services	28.00

SHERIFF'S DEPARTMENT: BILL FOR PAYMENT

The Deputy Clerk presented a bill from Tom Brown Trane Air Conditioning Company, Inc., for service and repair work on equipment in the Sheriff's Department.

Motion was made by Mr. Dierks that the Sheriff pay the bill to Tom Brown Trane Air Conditioning Company, in the amount of \$230.00, if the equipment on which repairs were made is on his inventory list. Motion was seconded by Mr. McClure and carried unanimously.

MINUTES OF PREVIOUS MEETINGS

Upon motion by Mr. Burton, seconded by Mr. McClure, Minutes of previous Meetings were unanimously approved:

REGULAR MEETING OF JANUARY 20, 1976

FEBRUARY 10, 1976

(Cont'd)

STATE TUBERCULOSIS HOSPITAL

Upon motion by Mr. Hutches, seconded by Mr. McClure, application of Beatrice Johnson to enter the State Tuberculosis (A. G. Holley) Hospital was unanimously approved.

BOYS' CLUBS - PANCAKE DAY

Motion was made by Mr. McClure that Saturday, February 28, 1976 be proclaimed "PANCAKE DAY" in Manatee County in support of the 21st Annual Pancake Jamboree on behalf of the Boys' Clubs of Manatee County, Inc. Motion was seconded by Mr. Burton and carried unanimously.

✓ PROCLAMATION RECORDED Y25 189

PHILLIPS PETROLEUM COMPANY

In response to request by DeSoto County Board of County Commissioners for a meeting with this Board to discuss Phillips Petroleum Company's intent to commence mining operations in both counties, the Chairman stated he would contact the Chairman of that County relative to scheduling a meeting after the public hearing to be held on Phillips' application in Manatee County, February 18, 1976.

AIRPORT AUTHORITY: BURNING PERMIT

Motion was made by Mr. McClure to approve the request from Sarasota-Bradenton Airport Authority for waiver of permit fees for burning debris in connection with land clearing operations at the Airport. Motion was seconded by Mr. Hutches and carried unanimously.

\$12,085,000 STATE LOAN ON SEWER PROJECT

By letter dated February 4, 1976 the Department of Environmental Regulation advised that State Bond Loan No. 2 for Manatee County had been recommended for approval by the State's financial consultant and funds would be available for construction costs on the sewer expansion program in the Cortez Area and the area south of Bradenton city limits (between 34th Street West and U.S. 301). The principal amount of the Bond loan is \$12,085,000.00.

FORGET-ME-NOT DRIVE: DISABLED AMERICAN VETERANS

Motion was made by Mr. Burton to grant the request of the Disabled American Veterans for permission to hold the annual forget-me-not drive in Manatee County on March 5-6, 1976. Motion was seconded by Mr. McClure and carried unanimously.

MYAKKA RIVER: WILD AND SCENIC RIVERS ACT

Westwood Fletcher requested permission to schedule a work session with Fred Vidzes, Executive Director of the Ridge and Lower Gulf Water Management District, to discuss proposed legislation to nominate the Myakka River as a candidate for the Wild and Scenic Rivers Act. There were no objections.

HELICOPTER LIFT: MINI MALL

Mr. Fletcher was instructed to continue investigation in connection with request to permit a helicopter operation at the Mini Mall located at Cortez Road and U.S. 41.

PERSONNEL POLICY: SICK LEAVE (BUS DRIVERS & EMS)

Motion was made by Mr. Hutches to approve that portion of the amendment to the Personnel Policy Rules and Procedures regarding sick leave for bus drivers and emergency medical service technicians, which had been deferred from the previous meeting. Motion was seconded by Mr. McClure and carried unanimously. if-7A?

RECORDED Y25 110D

PERSONNEL POLICY: ANNUAL LEAVE CARRY OVER

Mr. Fletcher recommended approval of paragraph I (1) (c) of the Personnel Policy, which authorizes a carry-over of up to 40 earned hours of annual vacation leave for a period of 90 days beyond the anniversary date of the employee. This portion had been excluded from approval of annual leave recommendations.

FEBRUARY 10, 1976

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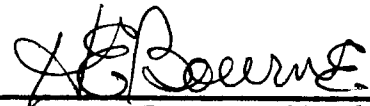
Motion was made by Mr. McClure that the portion of the amendment to the Personnel policy regarding carry-over of annual vacation leave be reinstated as recommended. Motion was seconded by Mr. Hutches and carried unanimously.

MEETING ADJOURNED :

There being no further business the meeting was declared adjourned.


Attest:

M. T. McInnis, Clerk



Deputy Clerk

APPROVED: April 6, 1976



Chairman