

SPECIAL MEETINGS

FEBRUARY 18, 19, 23, 1976

RE: PHILLIPS PETROLEUM

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FEBRUARY 24, 1976

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in Bradenton, Florida, Tuesday, February 24, 1976 at 9:07 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.

The meeting was called to order by Chairman Fortson, who introduced participants in "Student in Government" Week from Manatee High School, representing the County Commissioners:

Marilyn Moseley	District #1 - Mr. Burton
Debbie Kloss	District #2 - Mr. McClure
Lisa Tongue	District #3 - Mr. Fortson
Eric Geraldson	District #4 - Mr. Dierks
Sylvia Rumph	District #5 - Mr. Hutches

O. E. Randle, Jr., Pollution Control Director, introduced his representative: Eileen Maloney

CHURCH STREET: "NO PARKING"

Robert Moon, R/W agent, submitted request from Ellenton Fire District Commissioners that "No Parking" signs be installed along the right-of-way of the east side of Church Street, south of State Road No. 43, Ellenton, and that the Right of Way Survey Crew be authorized to stake the right of way. Mr. Burton recommended that the County Attorney draft an appropriate resolution/ordinance supporting "No Parking" on that Street. There were no objections.

PARKS & RECREATION: EQUIPMENT REPAIR

John Marble, Director of Parks and Recreation, requested that the bid policy be waived in order to have emergency repair work made on a bulldozer which is needed on a construction project, and submitted estimate on those repairs.

Motion was made by Mr. McClure that the bid policy be waived and that Mr. Marble be authorized to proceed with repairs on the bulldozer by Florida Rental Tool Company for \$1,467.24, including parts and labor, subject to written request indicating that this is an emergency. Motion was seconded by Mr. Dierks and carried unanimously.

PROJECT NO. S-896

The Chairman declared public hearing open for objections on

PROJECT NO. S-896: 29th Street W. from Little Pittsburgh Road to Lot 53, Block E; 28th Street W. from Little Pittsburgh Road through Lot 65, Block F; 27th Street W. from 56th Avenue through Lot 72, Block G; 56th Avenue from 29th Street W. to 27th Street W.

There were no objections, and public hearing was declared closed. Mr. McClure moved for the approval of Participation Project No. S-896 and the adoption of a Resolution ordering the improvements and the preparation of a Preliminary Special Assessment Roll, on which public hearing would be held March 9, 1976. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED Y25-200

PONY ROAD: COUNTY MAINTENANCE

Robert Moon presented highway maps and affidavits on Pony Road, between State Road 683 and Roman Road, lying just east of State Road 45 and west of Rozier Road, and recommended that the road be accepted by right of maintenance under Florida Statute 95.361.

Motion was made by Mr. McClure to accept PONY ROAD as a county road as recommended by the Right of Way agent. Motion was seconded by Mr. Burton and carried unanimously.

~~RESOLUTION RECORDED~~

IDLEWILD COURT

The Chairman stated that Lloyd Lyday, attorney for the petitioners seeking vacation of a portion of Idlewild Court cul-de-sac in Idlewild Court Subdivision, had requested postponement of public hearing because there was a question concerning the legal advertisement. There were no objections to the postponement.

PLANNING & DEVELOPMENT: BIDS - AUTOMOBILES

Bids on purchase of four 1976 automobiles for the Planning and Develop Department were received and opened as follows:

COX CHEVROLET, INC.	\$ 15,449.68
JIM BOAST DODGE, INC.	16,400.00
BILL GRAHAM FORD COMPANY	15,146.00
DANIEL CHRYSLER-PLYMOUTH, INC.	15,639.92
FIRKIN MOTORS, INC.	14,413.12

The bids were referred to Art Fischer and Martin Williams for tabulation and recommendation back to the Board.

HIGHWAY DEPARTMENT: BIDS - EQUIPMENT

The opening of bids on trucks and a van for the Highway Department was postponed until March 9, 1976.

PARTICIPATION PROJECTS: CHANGE ORDERS

Request by the County Engineer for approval of change orders on Participation Projects No. 655 and No. 833 was referred to the County Attorney for review.

HIGHWAY & ENGINEERING: BIDS - AUTOMOBILES

The County Engineer requested authorization to advertise for bids on five automobiles for the Highway and Engineering Department, to be opened March 16, 1976, stating that the specifications will be reviewed by the appropriate committee. There were no objections.

LEISURE LAKES MOBILE HOME PARK

Mr. Burton advised that he had been contacted by the owner of Leisure Lakes Mobile Home Park who had been notified by the Manatee County Health Department that there was radioactivity in the park's water supply and that, according to state statute, they must connect to County Water line; that he was not objecting to connecting to county water, but provisions had not been made to include this added expense in recently signed Lease Agreement with his tenants. The owner was requesting consideration of working out a solution so that this hook-up could be deferred until the lease is up for renewal next year.

This matter was deferred pending work session with Chris Angelidis for review of this situation.

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(Cont'd)

SEWER PROJECT: STATE BOND LOAN

Motion was made by Mr. Burton that the Chairman be authorized to sign a letter to the Bureau of Wastewater Management and Grants, Department of Environmental Regulation, regarding State Bond Loan for Manatee County Deferred Area Sewer Project (No. 6681-6-11), stating that the proposal outlined in letter dated February 4, 1976 (from Gordon R. Woodley) is acceptable with the exception of provision for 18 months of capitalized interest; that 27 months should be provided for construction time, hook-up and initiation of billing and delays in completion. Motion was seconded by Mr. Hutches and carried unanimously.

BEACH EROSION PROJECT

The Chairman requested authorization to write a letter to the Department of Natural Resources, responding to their letter of January 23, 1976 (asking if this Board wished to serve as a local sponsor for the Beach Erosion Project for nourishment of Anna Maria Island), stating that Manatee County is not in a position at this time to stipulate that it can meet the financial obligations required of a sponsor. There were no objections.

SEWER CONSTRUCTION - RESTORATION

William Wheeler, 1211 35th Avenue West, was present to discuss the lack of communication between the property owners, the Sewer Department and the construction companies regarding property restoration after sewer construction, stating there had been no response to his complaints about restoration at his home. He referred also to broken sidewalk and questioned responsibility for replacing survey stakes.

Chris Angelidis, Director of Manatee County Utilities, stated he would personally supervise complaint as to residence; that the Telephone Company is responsible for sidewalk repair; that there was no way to determine what properties had survey markers or who would be responsible for replacement.

In response to complaint by Marilyn Mosely about sewer covers dangerously located at 3rd Avenue and 51st Street W. and Manatee Avenue and 35th Street W., Mr. Angelidis advised one was in the city limits of Bradenton, but he would check on the one in the County.

STUDENTS IN GOVERNMENT

Charlie Russell, County Welfare Director, introduced Mary Ann McClure, who will be representing him during Student in Government Week.

Chris Angelidis introduced Robert Harris, his Student in Government representative.

WATER REVENUE BONDS: FEE SCHEDULE

Mr. Angelidis read a letter from the Ellis First National Bank stating annual fee of \$100 for handling some of the Manatee County Water Revenue Bonds and submitted a new fee schedule which will become effective April 1, 1976. This was referred to the County Attorney for review and recommendation.

WATER TREATMENT PLANT EXPANSION: CHANGE ORDER

Mr. McClure moved for approval of	
Change Order No. 3	Contract: Lee Construction
Water Treatment Plant Expansion - Project No. 7273-1	
Addition to contract	\$3,970.00

Motion was seconded by Mr. Burton and carried unanimously.

CONSTRUCTION TRUST FUNDS

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

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 B-67

Lee Construction Co. of Sanford \$10,472.23

RESOLUTION RECORDED Y25-201

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-160

Woodruff & Sons, Inc. \$ 1,980.00

Upon motion by Mr. McClure, seconded by Mr. Dierks, Resolution was unanimously adopted authorizing payment of Requisition No. 24.4 B-160.

RESOLUTION RECORDED Y25-202

SEWER PROJECT: EPA GRANT (PART A)

Motion was made by Mr. Burton that the Chairman be authorized to sign a letter requesting U. S. Environmental Protection Agency, Region IV, for funds in the amount of \$676,786.00 in final grant payment on Part A, Manatee County Sewer System, Project No. 6681-8b (WS-FLA-C120-337). Motion was seconded by Mr. McClure and carried unanimously.

CONSTRUCTION TRUST FUND: PART B, SECTIONS I & II

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

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 C-10

Woodruff & Sons, Inc. \$255,665.17

and approving and authorizing execution of Final Reconciliation Agreement and

Change Order No. 3 to contract Woodruff & Sons, Inc.
Part B, Section I & II - Gravity Sewers
Force Mains & Lift Stations: Net decrease \$53,286.46

RESOLUTION RECORDED Y25 203

911 EMERGENCY TELEPHONE SYSTEM

The Chairman referred to a letter from the Pinellas County Commission supporting a resolution requesting certain legislation to fund the 911 Emergency Telephone System from the one percent per year on local and long distance telephone service excise tax being phased out by the federal government. Bill Kuhn, Civil Defense Director, recommended that this Board adopt a similar resolution requesting that this one percent be given to the State, which could be used for communication purposes.

Motion was made by Mr. McClure that this Board adopt a similar resolution and forward copies to the appropriate agencies and departments and to the Chairman of the Pinellas County Commission. Motion was seconded by Mr. Hutches and carried unanimously. (County Attorney to draft resolution for consideration at next regular meeting.)

OPEN SPACE LAND PROGRAM: HUD CERTIFICATION

Don Shepherd advised that he had reviewed Project No. Fla.OSA-12, F1-1015-OS, Open Space Land Program, and since this recreation land in the area of Lake Manatee had passed to the State, the contracts should be finalized so that the County is no longer obligated, under the requirements of the Department of Housing and Urban Development, to certify the position of the properties (insure continuing dedication of the land for the intended use under the grant), but that the Chairman should be authorized to execute the current certification.

Motion was made by Mr. McClure that Mr. Shepherd be authorized to finalize the contracts under Open Space Land Program under this

Program and that the Chairman be authorized to execute Use of Open Space Certificate as required by U.S. Department of Housing and Urban Development. Motion was seconded by Mr. Hutches and carried unanimously.

ELECTIONS: SAMPLE BALLOT (PRESIDENTIAL PREFERENCE PRIMARY)

Motion was made by Mr. Dierks that the Sample Ballot for the Presidential Preference Primary Election, March 9, 1976 (and Special Election) be approved. Motion was seconded by Mr. Hutches and carried.

PROJECT NO. 833: CHANGE ORDER

Motion was made by Mr. McClure to approve

Change Order No. 1 to the contract of Earl Collins Paving, Inc.
Project No. P-833 Increase in contract \$220.00

as requested by the County Engineer and recommended by the County Attorney. Motion was seconded by Mr. Hutches and carried unanimously.

WELFARE: INDIGENT MATERNITY PROGRAM

Motion was made by Mr. McClure to approve and authorize the Chairman to execute agreement between Manatee County and participating physicians for Manatee County Welfare Department Indigent Maternity Program, for the purpose of providing pre-natal care and delivery for indigent pregnant mothers. Motion was seconded by Mr. Dierks and carried unanimously.

AGREEMENT RECORDED Y25-204

LIBRARY: CONSTRUCTION/FOUNDATION TESTING

Motion was made by Mr. McClure to accept proposals on pile inspection and testing services (foundation), material testing and quality control for the Central Headquarters Library and that the Chairman be authorized to execute said proposals, which would constitute contracts with

- 1) Test Lab, Inc. (Orofino & Company)- engineering and inspection services on the foundation piling (installation);
- 2) Ardaman & Associates, Inc. - Material's testing and quality control at library site;

as recommended by the County Attorney. (The Library Board and the architect recommended approval.) Motion was seconded by Mr. Burton and carried unanimously.

1) CONTRACT RECORDED Y25-205
2) CONTRACT RECORDED Y25-206

PARKS & RECREATION: KINGFISH DOCK

Motion was made by Mr. McClure that the Chairman be authorized to execute Permit application to the Department of Environmental Regulation for the construction of public boat ramp and docks on State Road 64 and Palma Sola Bay - "Kingfish Dock". Motion was seconded by Mr. Hutches and carried unanimously.

STATE ROAD 70A - MCUS PERMIT

Upon motion by Mr. McClure, seconded by Mr. Dierks, Resolution was unanimously adopted authorizing the appropriate county officers to execute application to the Department of Transportation for a Use Permit for the construction and maintenance of a utility line within the right of way of State Road 70A, Section 13120, by Manatee County Utilities System.

RESOLUTION RECORDED Y25 207

PROJECT NO. 655: CHANGE ORDER

Motion was made by Mr. McClure to approve and authorize execution of

Change Order No. 1 Contract: Earl Collins Paving, Inc.
Project No. 655 Decrease contract by \$110.78

Motion was seconded by Mr. Burton and carried unanimously.

PINEY POINT MOBILE HOME PARK

Art Fischer submitted request from Kenneth Cleary for permission to place two travel trailers on each lot in the Piney Point Mobile Home Park, stating that in January 17, 1975 the Board approved the use of seventeen mobilehome spaces for travel trailers for six months; that at the expiration of that time it was extended for an additional two year period. He recommended that this request be approved. Upon question, he stated the stipulated time would be thirty (30) months from January 1975.

Motion was made by Mr. McClure to approve the request to place two travel trailers on each lot in Piney Point Mobile Home Park (lot numbers specified in original request) as recommended by the Planning Director. Motion was seconded by Mr. Burton and carried unanimously. (Motion included that Mr. Cleary be notified in writing of this approval.)

BUS SYSTEM: ADJUSTED LEASE PAYMENT

The County Attorney advised that the Director of the Bus System had received a letter from the Florida Department of Transportation stating that they would give the County a reduction in the next lease payment on the DOT buses that were out of service due to mechanical failure covered under the warranty. The reduction would be at the rate of \$5.00 per day per bus and requested that the County acknowledge and concur in the adjusted lease payment by either a letter from the Chairman of the Board of the Director of the Bus System, if the Board delegated this responsibility to him by resolution.

Mr. Burton made a motion that a letter be drafted for signature by the Chairman. Motion was seconded by Mr. McClure and carried unanimously.

BUS SYSTEM: TRANSIT GRANT APPLICATION

In reporting on the status of the Transit Grant Application, Mr. McClure said the application will be held up until UMTA (Urban Mass Transportation Administration) representatives could inspect the County's present maintenance facilities; that he had drafted a letter to Congressman James A. Haley notifying him of the delays in getting grant approval and requesting that he use his influence to end the delays.

AMBULANCE SERVICE: BILLS FOR PAYMENT

The Deputy Clerk presented bills for furniture for the Ambulance Service building and asked whether they should be paid from funds in the Ambulance Service Budget or Reserve for Contingency. The matter was deferred until March 2, 1976.

PARKS & RECREATION: PURCHASE REQUISITIONS

Purchase orders from the Parks and Recreation Department for macrame hangers, brackets, clay pots and various plants were presented by the Deputy Clerk for approval. The matter was deferred pending review by Mr. McClure.

BUDGET: FUND TRANSFERS

Upon motion by Mr. McClure, seconded by Mr. Dierks, Resolution was unanimously adopted authorizing item to item transfers as follows:

<u>Parks & Recreation Department</u>		
From:	Equipment - Tallavast Youth Center	\$500.00
To:	Materials; Utilities - Tallavast Youth Center	500.00

RESOLUTION RECORDED Y25-208

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(Cont'd)

- BUDGET: FUND TRANSFERS - ELECTIONS

Upon motion by Mr. Hutches, seconded by Mr. Burton, Resolution was unanimously adopted authorizing item to item transfers as follows:

Elections

From:	Reserve for Contingency	\$	250.00
To:	Poll Supplies	\$	250.00

RESOLUTION RECORDED Y25-209

Upon motion by Mr. McClure, seconded by Mr. Burton, Resolution was unanimously adopted authorizing item to item transfers as follows:

Elections

From:	Warehouse Equipment; Election Workers	Total	\$ 8,000.00
To:	Maintenance of Equipment; Other Personal Services	Total	8,000.00

RESOLUTION RECORDED Y25 210

MENTAL HEALTH BOARD

Motion was made by Mr. McClure to approve request for release of allocated funds to the Mental Health Board of Manatee County, Inc., in the amount of \$38,000.00. Motion was seconded by Mr. Burton and carried unanimously. (1975-1976 Budget.)

BILLS FOR PAYMENT

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

Bradenton Insurance (Workmen's Comp.)	\$19,155.00
Manatee Memorial Hospital	5,333.67; \$1,150.00
Sarasota Memorial Hospital	377.32
Bradenton Insurance (Ambulance Malpractice Liability)	949.00

-CERTIFICATES OF CORRECTION

Upon motion by Mr. Burton, seconded by Mr. Dierks, Certificates of Correction (E & I) on the current tax roll were unanimously approved as recommended by the County Property Appraiser.

WARRANT LISTS & REQUISITIONS

Motion was made by Mr. McClure to approve Requisitions and Warrant Lists from February 17 to February 24, 1976 and authorize Warrant Lists to March 2, 1976, said Warrant Lists to include any payrolls during that period upon condition that all County employees have performed their services in accordance with time and payroll practices of the County Departments. Motion was seconded by Mr. Burton and carried unanimously.

ELECTIONS: CANDIDATES PRESIDENTIAL PREFERENCE PRIMARY

The Board received, from the Department of State, State of Florida (Secretary of State), certification of the names of persons selected as candidates of the Democratic Party and the names of persons selected as candidates of the Republican Party to be voted for in the Presidential Preference Primary Election to be held on March 9, 1976.

ELECTIONS: STATE COMMITTEEMAN (COX)

By letter dated February 10, 1976, Floyd R. Cox confirmed his oral request that his name be excluded, for position of Republican State Committeeman, from the ballot for the Primary Election to be held March 9, 1976.

TRAVEL TRAILERS: CORAL SHORES

By letter dated February 13, 1976, Coral Shores Owners Association, Inc., of Manatee County, urged correction of the wording of the ordinance covering the parking of travel trailers to carry out its original

intent so that parking of these vehicles could be prohibited in subdivisions.

Mr. Fischer stated that the resolution/ordinance adopted in 1971 was unenforceable and that the County Attorney had drafted a proposed revised ordinance for consideration.

GUN PERMITS: HAMILTON; GOALSBY

Motion was made by Mr. Dierks to deny request by HAROLD HAMILTON for a gun permit, as recommended by Sheriff R. W. Weitzenfeld. Motion was seconded by Mr. Burton and carried unanimously.

Motion was made by Mr. Dierks to deny request by WALTER GOALSBY for a gun permit, as recommended by Sheriff R. W. Weitzenfeld. Motion was seconded by Mr. Hutches and carried unanimously.

EASEMENTS: MANATEE COUNTY UTILITIES SYSTEM

Motion was made by Mr. McClure that the following easements for Manatee County Utilities System be accepted:

THE CITY OF BRADENTON
 SUPER '50" THEATRE CORP. - subject to correction by typing the name of the firm over the signature of the president after Mr. Pittman (MCUS) obtains permission to clarify the titlization. on their easement.

Motion was seconded by Mr. Dierks and carried unanimously.

HORTICULTURE EXTENSION AGENT: RESIGNATION

Motion was made by Mr. Burton to accept the resignation of BILL MESSINA, Horticulture Extension Agent, effective March 26, 1976. Motion was seconded by Mr. McClure and carried unanimously.

"NO SMOKING": COMMISSION CHAMBERS

Upon request by Mr. McClure that the Chairman give consideration to abolishing smoking in Commission Chambers during the Board meetings, he was advised that this matter would be considered.

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was declared adjourned.

Attest:
 M. T. McInnis, Clerk

APPROVED:


 Deputy Clerk

5/4/76

 Chairman

SPECIAL MEETINGS

FEBRUARY 25, 26, 27, 1976 also Feb 18, 19, 1976
 RE: PHILLIPS PETROLEUM SEE PAGE 709 - 712