

APRIL 13, 1976

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, April 13, 1976 at 9:07 A. M.

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

Also present were Henry E. Bourne, Deputy Clerk
E. N. Fay, Jr., County Attorney
Vice Chairman Dan P. McClure was not present.

The meeting was called to order by Chairman Fortson.

**MUSIC FESTIVAL - POINDEXTER - BLUE GRASS BANDS
AGRICULTURAL CENTER**

Dick Aalberg, County Extension Agent, appeared before the Board as General Manager of Manatee County Fair, and introduced Bill West, of Super Sports, Inc., who was promoting a music festival to raise funds to aid Leon Poindexter to continue the Blue Grass bands entertainment center in the remodeled feed store in Ellenton. This event was scheduled for the weekend of May 7,8,9, 1976 and request was being made for the use of the Fair Grounds at the Agricultural Center in Palmetto for the festival. Mr. Aalberg advised that this had been approved by Mayor Holland, City of Palmetto.

Mr. West outlined the anticipated program and stated that arrangements had been made for traffic control, parking, etc.

During discussion Mr. Burton stated he would like to have the Palmetto City Council concur in the approval and support of the music festival being held at the Fair Grounds. Motion was made by Mr. Hutches to approve the request, subject to concurrence of Palmetto City Council. Motion was seconded by Mr. Burton and carried unanimously. Motion included authorizing the Chairman to execute an appropriate agreement between Manatee County and Super Sports, Inc. (after written approval received from City of Palmetto.)

**PROJECT NO. P-827: CONSTRUCTION
CONTRACT: EARL COLLINS PAVING, INC.**

Motion was made by Mr. Dierks to approve and authorize the Chairman to execute contract with EARL COLLINS PAVING, INC., for construction of Project No. P-827 (36th Ave. E., from 5th St. to 7th St. E.) in the amount of \$19,239.75. Motion was seconded by Mr. Hutches and carried unanimously.

CONTRACT RECORDED Y26-273

SPEED LIMITS: 17TH STREET W., PALMETTO

The County Engineer recommended establishing speed limit of 25 M.P.H. on 17th Street West, Palmetto, from 14th to 18th Ave. W., which is the dividing line between City of Palmetto and County. He said the City of Palmetto would take similar action. The County Attorney was instructed to draft the appropriate resolution for adoption by this Board after written notice from the City of Palmetto that 25 M.P.H. had been established for that portion of 17th Street W. lying inside the city limits.

36TH AVENUE EAST: ACCEPTED AS COUNTY ROAD

Robert Moon submitted affidavits and Highway Maps of 36th Avenue E. and recommended that it be accepted and recorded as a county road by right of maintenance under Florida Statute 95.361. Motion was made by Mr. Hutches to accept 36th Avenue East from State Road 70 south 1,000 feet, as recommended by the Right of Way Agent. Motion was seconded by Mr. Burton and carried unanimously.

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STATE ROAD 70

Upon recommendation by the Right of Way Agent, the Board deferred action on the contract with the State Department of Transportation on acquisition of rights of way for State Road 70; pending further conference with State Road engineers.

U. S. 301

Motion was made by Mr. Dierks that Mr. Moon request the Department of Transportation to submit progress report for six months on appraisals, etc.; for U. S. 301. Motion was seconded by Mr. Hutches and carried.

CONSTRUCTION TRUST FUND

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-166

The Bradenton Herald	69.30
Lee Construction Company of Sanford	592.70
MCUS \$24.4 Revenue Account	32,726.44

RESOLUTION RECORDED Y26-274

MCUS ADMINISTRATION BUILDING

CHANGE ORDER: HEYL & PATTERSON, INC.

Motion was made by Mr. Hutches to approve and authorize the appropriate county officers to execute

Change Order No. 5 to contract with Heyl & Patterson, Inc.

Manatee County Utilities System Administration Building

Increase (net) contract in the amount of \$125.23

Extend contract time (45 days) to 12-28-75.

Motion was seconded by Mr. Dierks and carried unanimously.

BUDGET AMENDMENTS: AMBULANCE SERVICE

Ken McKendree, Director of Manatee County Ambulance Service, requested approval of line item transfers in the 1975-1976 budget as follows:

<u>From</u>	Rent \$600.00; Postage \$200.00; Oxygen \$300.00;
	Travel \$400.00; Fees, Commissions and Costs \$600.00;
	Total \$2,100.00
<u>To</u>	Communications \$1,300.00; Ambulance Repairs \$800.00
	Total \$2,100.00

Motion was made by Mr. Hutches that the transfers be approved and that the Deputy Clerk draft the appropriate Resolution for adoption. Motion was seconded by Mr. Burton and carried unanimously.

AMBULANCE SERVICE: DESOTO CELEBRATION

Regarding question of billing or waiving charges on ambulance service transporting out-of-state band members, participating in the DeSoto Celebration, to a medical facility, Mr. Hutches recommended that Mr. McKendree contact the band directors of each of the two schools involved and advise them to contact their insurance companies to see there was coverage under school insurance. He recommended further that the portion not covered by school insurance be written off. Mr. McKendree said he would make report back to the Board after contacting the school officials.

PARKS & RECREATION: BID ON TRUCKS ACCEPTED

Motion was made by Mr. Hutches to accept the low bid on a new truck for the Parks and Recreation Department; submitted by

COX CHEVROLET, INC., 1/2 ton Pickup \$3,840.14

Motion was seconded by Mr. Dierks and carried unanimously.

PERSONNEL POLICY CLARIFICATION: PROBATIONARY PERIOD

Motion was made by Mr. Dierks that Personnel Policy Clarification approved on April 6, 1976 be rescinded and that a new Personnel

Policy Clarification Regarding Employment Probationary Period, submitted by the Personnel Director, be approved. Motion was seconded by Mr. Hutches and carried unanimously.

BUDGET AMENDMENT: HOUSING AUTHORITY

Albert Kossa, Chairman of the Manatee County Housing Authority, and William Branton, Housing Authority Coordinator, were present and submitted proposed budget for the next six months for consideration.

Mr. Burton moved, and Mr. Dierks seconded, for adoption of a Resolution authorizing budget amendment by item to item transfers as follows:

From	Housing Authority	\$3,000.00
To	Office Rental \$600.00; Office Equipment \$780.00; Office Supplies \$210.00; Travel \$1,200.00; Communications \$210.00 - Total	3,000.00

Motion carried unanimously.

RESOLUTION RECORDED Y26-275

FAIRWAY SHOPPING CENTER (59TH AVENUE W.)

Mrs. Thomas L. (Dolly) Young, 5606 7th Avenue Drive W. and Mrs. Susan Carney, 5612 7th Avenue Drive W., were present regarding the proposed shopping center on Manatee Avenue, between 59th Street and 55th Street W. Their properties abut to the rear of this proposed shopping center and they were under the impression there was a 60-foot buffer between their property lines and the commercially zoned property on Manatee Avenue; however, there is only an 8-foot buffer, and they are concerned about protection of their property.

Bill Swann (Planning Department) outlined the stipulations on buffer screen plantings (oleander) and drainage (holding ponds), etc. Art Fischer explained that there had been a number of vacations on the property which deleted a dedicated street; that the owner has not submitted a final plan for processing through the county; that normally the plans do not come back before the Board - if developer complies with requirements he merely makes application for building permit(s). O. E. Randle entered into discussion concerning the holding ponds, drainage, etc., and State requirements.

Mr. Fischer was requested to submit the plans for the shopping center to this Board for review prior to issuance of any building permits. (Notify Mrs. Young of date to be considered.)

BEKER PHOSPHATE CORPORATION: HEARING JUNE 22, 1976

Mr. Fischer submitted request from Beker Phosphate Corporation that Manatee County delay operating permit final review to be held before the Board of County Commissioners until June 22, 1976. On February 9, 1976 they requested that Manatee County extend 90-day review period relative to application for phosphate mining operating permit to suggested date of April 13; on April 9 they requested that this be delayed and departments not bring application to Board this date. The Beker Industrial Wastewater permit approval has been delayed pending completion of administrative review procedure, and hearing date on this permit set for May 24, 1976 in Bradenton. No final decision expected until mid-June.

Motion was made by Mr. Hutches that the Beker operating permit final review be scheduled for hearing before this Board on June 22, 1976. Motion was seconded by Mr. Dierks and carried unanimously.

CONSTRUCTION TRUST FUND (REFUND FROM LEE CONSTRUCTION)

Upon motion by Mr. Hutches, seconded by Mr. Dierks, Resolution was unanimously adopted authorizing Inter City National Bank to deposit Lee Construction Company of Sanford's check in the amount of \$195,000 in the \$11,650,000 Construction Trust Fund Account.

RESOLUTION RECORDED Y26-276

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STATE ROAD 43 - MCUS PERMIT

Upon motion by Mr. Dierks, seconded by Mr. Hutches, Resolution was unanimously adopted authorizing execution by appropriate county officers application to the State Department of Transportation for a Use Permit for the construction and maintenance of a utility line within the right of way of State Road No. 43, Section No. 13020.

RESOLUTION RECORDED Y26-277

RECESS

After a short recess the meeting was reconvened.

PARKS & RECREATION: PERMIT FOR BOAT RAMPS & DOCKS

Motion was made by Mr. Hutches that the Chairman be authorized to Permit No. 41-30-0357-3E from the Florida Department of Environmental Regulation to replace a boat ramp and construct two boat docks on State Road 64 (Manatee Avenue), Palma Sola Bay, by the Parks and Recreation Department. Motion was seconded by Mr. Dierks and carried unanimously.

ELECTION PRECINCTS: AMEND BOUNDARIES NO. 18, NO. 26

Mr. Dierks moved for the adoption of a Resolution amending the boundaries of Precinct No. 18 (Palma Sola) and designating the Polling Place as Village Green Golf Club, 1401 Village Green Parkway, Bradenton, Florida, and amending the boundaries of Precinct No. 26 (Cortez) and designating the Cortez Fire Station, 4517 123rd Street Court West, Cortez, Florida, as the Polling Place. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED Y26-278

CASA ONECO MOBILEHOME SUBDIVISION

Clyde Sherman (Southern Pines Mobile Park), Dennis Hampton (22nd Avenue Terrace East) and Mitchell Bradford (Southern Pines Mobile Park), owners of mobile homes and lots in Casa Oneco Mobilehome Subdivision, requested the Board to grant permission to the developer (Mr. Rightmyer) to install a temporary holding tank so they could have sanitary facilities and move into their mobilehomes, which have been on the property since August, 1975.

Chairman Fortson and Board members pointed out that property owners in the adjoining Casa Loma Mobilehome Park were assured that no septic tanks would be allowed in Casa Oneco and the developer was aware that there would be no sanitary sewer facilities until the area is served by County Central sewer system. The County in process of securing financing for extending Section "E", which would serve this area. During discussion it was suggested that agreement be reached with property owners in Casa Loma, although doubt was expressed that the State would go along with permitting a holding tank.

BUDGET AMENDMENTS:

PROBATION DEPARTMENT

Upon motion by Mr. Burton, seconded by Mr. Hutches, Resolution was unanimously adopted authorizing Budget Amendments by item to item transfers as follows: (1975-1976 Budget)

Probation Department

From	Chairs, File Cabinets, Floor Mats, Posture Chairs, Adding Machine, Table, Storage Cabinet	\$1,282.83
To	Equipment; Equipment Prob. Dept.	1,282.83

RESOLUTION RECORDED Y26-279

LIBRARY SYSTEM

Upon motion by Mr. Hutches, seconded by Mr. Burton, Resolution was unanimously adopted authorizing amendment to the 1975-1976 budget by item to item transfers as follows:

Library System

From	Printing	\$ 200.00
To	Travel	200.00

RESOLUTION RECORDED Y26-280

Upon motion by Mr. Hutches, seconded by Mr. Burton, Resolution was unanimously adopted authorizing amendment to the 1975-1976 budget by item to item transfers as follows:

Library System

From	Equipment \$750.00; Office Supplies \$259.00	\$1,009.00
To	Postage \$750.00; Water & Sewer Facilities \$259.00	1,009.00

RESOLUTION RECORDED Y26-281

COURT REPORTING

Upon motion by Mr. Hutches, seconded by Mr. Dierks, Resolution was unanimously adopted authorizing amendment to the 1975-1976 budget by item to item transfers as follows:

Court Reporting Department

From	Court Reporter Fees; St. Atty. Ct. Reporter; Pub. Def. Ct. Reporter; Judges Ct. Reporter; Salary Ct. Reporter; Cir. Ct. Reporter 2; Salaries Ct. Reporter; Court Reporters; St. Atty. Ct. Reporters; Pub. Def. Ct. Reporters; Salaries Ct. Reporters	Total: <u>\$73,428.00</u>
To	Cir. Ct. Report. Sal. I; Cir. Ct. Report. Sal. II; Cir. Ct. Reporters Fees; Cir. Ct. Reporter St. Atty; Cir. Ct. Report. Pub. Def.; Cir. Ct. Report. Judges; County Ct. Reporters Salary; Co. Ct. Reporter Fees; Co. Ct. Reporter St. Atty.; Co. Ct. Reporter Pub. Def.	<u>\$73,428.00</u>

RESOLUTION RECORDED Y26-282

PARKS & RECREATION

Upon motion by Mr. Burton, seconded by Mr. Hutches, Resolution was unanimously adopted authorizing amendment to the 1975-1976 budget to provide for the receipt and appropriation of unanticipated revenues as follows:

Parks & Recreation Department

Increase Revenue:	Equipment Maintenance	\$6,153.00
Increase Expenditure:	Landscaping MCUS	6,153.00

RESOLUTION RECORDED Y26-283

BONDS

Motion was made by Mr. Dierks to approve and/or authorize return of bonds as follows:

Moving and Alteration of Building (Approve)

ALBERT WYMAN \$1500 Auto-Owners Ins. Co.
Pre-moving No. 5550

Driveway Permit (Return-refund)

JOHN JACKSON Return cash bond \$150.00: Permit No. 1902

Motion was seconded by Mr. Hutches and carried unanimously.

WARRANT LISTS AND REQUISITIONS

Motion was made by Mr. Hutches to approve Requisitions and Warrant Lists from April 6 to April 13, 1976 and authorize Warrant Lists to April 20, 1976, said Warrant Lists to include any payrolls during that period upon condition that all employees have performed their duties in accordance with time and payroll practices of the county departments. Motion was seconded by Mr. Burton and carried unanimously.

BILLS FOR PAYMENT

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

Professional Ancillary Services	50.00
Holland & Knight (Mary Baber)	35.00
Corporation of Manatee County	6,500.00

No action was taken on bill from Cohenour' Carpets, in the amount of \$2,661.00 for floor covering in the Highway and Engineering Department.

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BUDGET AMENDMENT

Upon motion by Mr. Hutches, seconded by Mr. Burton, Resolution was unanimously adopted authorizing amendment to the 1975-1976 budget by item to item transfers as follows:

<u>Library System</u>		
From	Book Processing Fees	\$ 225.00
	Office Supplies	300.00
		<u>\$ 525.00</u>
To	Communications	225.00
	Film Rental	300.00
		<u>\$ 525.00</u>

RESOLUTION RECORDED Y26-284

CERTIFICATES OF CORRECTION (E & I)

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

TAX COLLECTOR: OFFICE FACILITIES

Motion was made by Mr. Burton that Sam Cornwell, Tax Collector, be authorized to proceed with remodeling of his office by cutting a new door into his office so the counter can be changed and better utilize the facilities. Motion was seconded by Mr. Hutches and carried unanimously..

INSURANCE: UNINSURED MOTORISTS COVERAGE

Upon recommendation by Martin Williams, motion was made by Mr. Dierks that the Chairman be authorized to execute Form 610-278, Rejection of Uninsured Motorists Coverage (Aetna Insurance Company). There is no requirement to carry this coverage on county drivers and operators, as they are covered under Workmen's Compensation. Motion was seconded by Mr. Hutches and carried unanimously..

SOUTHERN PALMS MOBILE COURT

Reference was made to a letter from E. S. (Bud) Reasoner, under date of April 6, 1976, requesting that funds be withheld from Giannetti & Lanzo to guarantee replacement of two shuffleboard courts in Southern Palms Mobile Court, removed by that firm during construction of Manatee County Utilities Sewer System on U.S. 41. The chairman stated he would investigate this matter.

LEGISLATION: SALARY OF POLLUTION CONTROL DIRECTOR

Motion was made by Mr. Dierks that Chairman Fortson be authorized to submit to the Legislative Delegation for consideration a proposed Act amending Chapter 67-1671 and Chapter 71-757 relating to supplemental salary for the Pollution Control Director. This amendment would authorize this Board to supplement and pay to the Pollution Control Director of Manatee County additional salary above that paid by the Division of Health of the Florida Department of Health and Rehabilitative Services, said salary to be paid from the General Revenue Fund for Manatee County. Motion was seconded by Mr. Hutches and carried unanimously.

STATE BOND LOAN NO. 2

SEWER PROGRAM: \$12,650,000

Motion was made by Mr. Hutches that the Chairman be authorized to respond to a letter from the Department of Environmental Regulation (April 2, 1976) approving the revised Manatee County's proposed State Bond Loan No. 2 to include twenty-seven months of capitalized interest, which will raise the amount from \$12,085,000 to \$12,650,000. Motion was seconded by Mr. Dierks and carried unanimously.

LIBRARY BOARD MEMBER

Motion was made by Mr. Burton to approve appointment of Mrs. Lowell (Judy) Oakley to the Manatee County Library Board by the City of Palmetto. Motion was seconded by Mr. Hutches and carried unanimously.

TRANSIT SYSTEM: BUS ROUTE CHANGE to
 Motion was made by Mr. Burton/approve recommendation of Mr. McClure
 for bus route changes as follows:

- =Manatee County Transit provide at least four round
 trips daily to West Palmetto along the following
 routes 8th Avenue West to 6th Street West to 20th
 Avenue West to 10th Street West to 28th Avenue West
 to 13th Street West to 24th Avenue West and return.
- =Manatee County Transit provide three trips per day
 serving the community of River Isles via Manatee
 Avenue East. This service is to be considered
 temporary pending service utilization analysis.
- =These route changes to be effective upon receipt
 of printed schedule changes.

Motion was seconded by Mr. Hutches and carried unanimously.

WORK RELEASE PROGRAM: PROPOSED LEGISLATION OPPOSED

It was brought to the attention of the Board by Mr. Burton that at
 the time the State Probation Commission asked for permission to build
 a work release facility in Manatee County and public hearings were
 held to allow them to locate the facility in the Oneco area, they
 assured this Board that the State would handle and be responsible
 for all the building, all the financing and all the problems and
 costs that would be incurred in building and operating such a faci-
 lity; that there is now a bill in the Senate, which Senator Deeb is
 trying to push through, that would require the Board of County Commis-
 sioners to pay for the program out of the Fine and Forfeiture funds
 in the Manatee County budget. He recommended that resolution be
 adopted opposing this bill or write a letter that this Board would
 not endorse such a program unless it is financed fully by the State.
 He pointed out that the facility would be used by other counties,
 Sarasota and DeSoto.

Mr. Fay noted that there is a companion-type bill to make any person
 who is convicted of a crime and sentenced less than five years to be
 a county prisoner and make each county provide a county jail to hold
 all prisoners that are going to be in jail up to five years.

Discussion. The County Attorney was requested to review the proposed
 legislation and draft a resolution that could be submitted to the
 legislative delegation, as well as the State Association of County
 Commissioners, asking for concurrence in defeating the bill or bills.

Mr. Burton advised that he had requested Senator Gallen to invite
 Senator Deeb here to look at Manatee County's work release program
 and probation program .

CETA TITLE VI: AMENDMENTS TO AGREEMENTS

Motion was made by Mr. Hutches to approve and authorize the appropriate
 county officers to execute Public Service Contracts, CETA TITLE VI,
 Amendments to Agreements as follows: (Recommended by Manpower
 Advisory Council and requested by Regis Chapman)

- | | | | |
|-----|------------------------------------|----------------|---------------------------|
| (1) | CITY OF PALMETTO | 9/2/75-6/30/76 | Not to exceed \$15,262.00 |
| (2) | CITY OF BRADENTON BEACH | " " | Not to exceed 23,961.15 |
| (3) | CITY : OF HOLMES BEACH | " " | Not to exceed 12,072.00 |
| (4) | MANATEE COUNTY UTILITIES
SYSTEM | " " | Not to exceed 31,736.00 |
- (1) CONTRACT RECORDED Y26-285
 (2) CONTRACT RECORDED Y26-286
 (3) CONTRACT RECORDED Y26-287
 (4) CONTRACT RECORDED Y26-288

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CETA TITLES II, VI AND I: MODIFICATIONS

Regis Chapman, Director, Department of Human Resources, requested approval of major modifications of the plans for CETA Titles II, VI, and I, recommended by the Manpower Advisory Council.

Motion was made by Mr. Hutches to approve Modification of Plans for CETA Titles I, II and VI as recommended: (To June 30, 1976)

TRAINING, TITLE I (Contracted Programs): Youth

Training Program - No change in contract (\$262,574)

PSE, TITLE II - \$213,822 with \$26,937 planned carry-over

PSE, TITLE VI - \$869,381 with planned carry-over \$93,452

Motion was seconded by Mr. Burton and carried unanimously.

Mr. Chapman submitted status reports on

TAPROOT (Terminated 2/11/76)

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (No change in contract \$195,325)

FLORIDA STATE EMPLOYMENT SERVICE (To be renegotiated and extended to 9/30/76)

YOUTH SUMMER TRAINING PROGRAM (To be negotiated with School Board for 6/1/76 to 9/30/76)

VOCATIONAL EDUCATION GRANT (No change in \$62,500 non-financial Agreement with Vocational School 9/30/76)

TRAINING, TITLE I (Non-contracted Programs - 9/30.76)

DHR On-The-Job Training (9/30/76)

DHR Administration

DHR Senior Work Experience (7/1/76 to 9/30/76)

MEETING ADJOURNED

There being no further business, the meeting was declared adjourned.

Attest:

M. T. McInnis, Clerk


Deputy Clerk

APPROVED:


Chairman