

JULY 13, 1976

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, on Tuesday, July 13, 1976 at 9:05 A. M.

Present were Commissioners L. H. Fortson, Jr., Chairman
Ken Burton
Kenneth D. Dierks
Also present Henry E. Bourne, Deputy Clerk

Commissioner Robert C. Hutches and E. N. Fay, County Attorney entered during the meeting.
Vice Chairman Dan P. McClure was not present.

The meeting was called to order by Chairman Fortson.

MILTON ROY COMPANY: INDUSTRIAL REVENUE BONDS

Enter
Mr. Fay
and Mr.
Hutches

Edgar A. Clingerman, vice president - Finance, for Milton Roy Company presented formal written request for Board approval for the issuance of Manatee County, Florida First Mortgage Industrial Revenue Bonds (Milton Roy Company Projects) in the amount of \$2,500,000 for the purpose of financing the Milton Roy Contact Lens projects located in the County, on Whitfield Avenue. A draft copy of the Inducement Contract was submitted for review.

Motion was made by Mr. Hutches to approve the proposal for the issuance of Industrial Revenue bonds for Milton Roy Company in an amount not to exceed \$2,500,000 and instruct the County Attorney to prepare the necessary resolution for consideration by the Board and to examine the Inducement Contract and make recommendation. Motion was seconded by Mr. Dierks and carried unanimously.

201 PLANNING PROGRAM

Chris Angelidis, Manatee County Utilities System Director, and Ken Schenck, with Russell & Axon, recommended that a resolution be adopted authorizing the continuance of the 201 Program under Recommendation No. 9 of the Cooperative Effort Proposal.

Motion was made by Mr. Hutches that the County Attorney be instructed to draft an appropriate resolution accepting the recommendation of the consultants on the 201 Program. Motion was seconded by Mr. Dierks and carried unanimously.

MCUS: BIDS AWARDED - TRENCHER; BACKHOE & LOADER

Motion was made by Mr. Dierks to accept bid on a trenching machine for Manatee County Utilities System submitted by
DITCH WITCH TRENCHER, INC. \$13,890.00
as recommended by the Director. Motion was seconded by Mr. Hutches and carried unanimously.

Recommendation was made by Chris Angelidis to accept the second lowest bid on a tractor, backhoe and loader for Manatee County Utilities System, explaining that the lowest bid not meet specifications.

Motion was made by Mr. Dierks to accept the low bid meeting specifications on a tractor, backhoe and loader, submitted by
FLORIDA RENTAL TOOL & EQUIPMENT CO. \$19,050.00
Motion was seconded by Mr. Hutches and carried unanimously.

LOT CLEARING

The Chairman declared the public hearing open for the purpose of considering lot clearing petition
LC-1032 - Conrad King alleging that certain land owned by Edward L. Detoni had not been cleared in accordance with the requirements of Special Acts of 1969, Laws of Florida.

Dave Fulford submitted photographs as evidence and recommended that the lot be cleared. No one was present in the interest of the petitioner or the property owner.

The public hearing was closed. Mr. Hutches moved for the adoption of a resolution demanding that the property, Edward L. Detoni, take corrective action with regard to the land as petitioned. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED Z26-130

PARKS & RECREATION: BIDS - DOCKS

Sealed bids received on construction of docks located at (a) North side Manatee Avenue on Anna Maria Island Sound at Holmes Beach and (b) west side Braden River, State Road 64 East, were opened as follows:

JOHN BURGSTINER EQUIPMENT COMPANY

a) \$12,800.00; Alt. #1 \$4,000.00 b) \$10,600.00
 Total Base Bid \$23,400 Total Bid w/Alt. #1 \$26,400

LESTER A. GREEN

a) \$10,850.00; Alt. #1 \$4,000.00 b) \$ 8,000.00
 Total Base Bid \$18,850 Total Bid w/Alt. #1 \$22,850

BAKER ENTERPRISES, INC.

a) \$ 8,930.00; Alt. #1 \$13,290.23 b) \$6,759.30
 Total Base Bid \$15,689.53; Total Bid w/Alt. #1 \$20,049.53

The bids were referred to John Marble for tabulation.

**PARKS & RECREATION: BOAT RAMPS - KINGFISH; BRADEN RIVER
 AGREEMENT: DEPARTMENT OF NATURAL RESOURCES**

Motion was made by Mr. Hutches that the Chairman be authorized to execute Florida Boating Improvement Program Project Agreements with the Florida Department of Natural Resources, Division of Recreation and Parks on (1) Kingfish Ramp(\$13,000) and (2) Braden River (\$7,500) launch sites. Motion was seconded by Mr. Burton and carried unanimously.

(1) AGREEMENT RECORDED Z26-131
 (2) AGREEMENT RECORDED Z26-132

**GOLF COURSE CLUBHOUSE
 BIDS - MAINTENANCE BUILDING**

Motion was made by Mr. Burton that John Marble be authorized to advertise for bids on a lease-purchase agreement for the construction of the Clubhouse and Maintenance Building at the Golf Course and that the County Attorney prepare a resolution setting forth the fact that it would be paid for exclusively th revenues from the Golf Course. Motion was seconded by Mr. Hutches and carried unanimously.

LEAA GRANT: SHERIFF'S DEPARTMENT WORK CAMP

Sheriff R. W. Weitzenfeld and Linda Skorcheski, Tampa Bay Regional Planning Council, requested that the Chairman be authorized to execute the LEAA Grant Application for subsidiary funding(\$14,596.00) of the Sheriff's Department work camp to purchase kitchen equipment, tools, pickup truck and a bus, stating that the local matching funds in the amount of \$730.00 would be paid out of the Sheriff's budget.

Motion was made by Mr. Burton that the Chairman be authorized to execute application for LEAA Grant subsidiary funding for equipment for the Work Camp. Motion was seconded by Mr. Hutches and carried unanimously. (Resolution regarding subgrant for LEAA funds was referred to the County Attorney for review.)

SHERIFF'S DEPARTMENT: BILLS FOR PAYMENT

Sheriff Weitzenfeld advised that he requested County Maintenance to have a 220 volt line installed in their bookkeeping office, stating that it is a facility requirement for his department, and submitted a bill in the amount of \$215.00 for consideration by the Board for payment. (The Chairman will discuss with Don Everett.)

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(Cont'd)

In addition, Mr. Weitzenfeld presented two bills for legal fees (\$5,923.86 and \$4,873.86) for his and a deputy sheriff's defense of criminal charges placed against them by the State Attorney, and requested the Board to approve payment. He advised that neither he nor the deputy were found guilty of the charges, but the acts were considered in the line of duty under their oaths of office. This matter was referred to the County Attorney.

BUILDING PERMIT: SCOTT COLE

RE: ACCESS BY LOTS TO LANDS OUTSIDE SUBDIVISION

Art Fischer reviewed a matter discussed in a work session concerning a building permit for Scott Cole for construction of a residence on Lots 1 through 6, Block G, Palma Sola Bay Gardens Subdivision with access to Alhambra Drive through Lot 16, Block 10, Palma Sola Park Subdivision. Petitions had been received from residents of Palma Sola Park opposing the proposal.

Dan Kearney, attorney representing Scott Cole, read a letter outlining his client's position and requesting the Board not take action requested by others that Mr. Cole not be allowed to do something that he is lawfully entitled to do. He pointed out that no application had been actually made for a building permit.

Following a lengthy discussion about access over a building lot (36 feet from the 138 feet total frontage of two lots on Alhambra), which would create a private street, motion was made by Mr. Hutches that the permit be issued for 17th Avenue West (which is platted access for Block G, Palma Sola Bay Gardens). Motion was seconded by Mr. Dierks and carried unanimously.

The County Attorney recommended that the Board take no action on this since there is no permit application pending; that the Building Permit Department has the authority to issue the permit if it is properly applied for; that if is the intent of the Board to deny construction under the proposal, then the Ordinance in question should be interpreted.

Mr. Hutches made a motion that the Board of County Commissioners interpret Ordinance 74-3 to mean that lots within platted subdivisions should not be used as access for lands outside of said subdivision and that the administrative official be instructed accordingly, and that the initial motion be rescinded. Mr. Dierks seconded. Motion carried unanimously.

PLANNING & DEVELOPMENT DEPARTMENT (SACKETT)

Art Fischer requested permission to excuse employees of the Planning Department who would like to attend funeral services of Bud Sackett, which are scheduled for Thursday morning, July 15, 1976.

Mr. Dierks made a motion that the request be approved. Mr. Hutches seconded. Motion carried unanimously.

PROJECT NO. 704

Robert Moon, Right of way agent, advised that Project No. 704 qualified as a participation project with 75 percent of the abutting property represented by signatures of the property owners and recommended acceptance for public hearing for objections.

Mr. Hutches made a motion to approve the petition and advertise notice of Public Hearing for objections to be held Tuesday, August 3, 1976 at 9:00 A. M. or as soon thereafter as possible on

PROJECT NO. 704: 76th Street from 42nd Avenue
south to 43rd Avenue West.

Motion was seconded by Mr. Dierks and carried unanimously.

63RD AVENUE EAST: RAILROAD SIGNAL

The County Engineer was instructed to prepare the appropriate forms for installation of a railroad crossing signal at 63rd Avenue East, in Oneco, for presentation to the Board for consideration.

PROJECT NO. 667: CHANGE ORDER

Mr. Hutches made a motion to approve Change Order No. 3 on the contract with Florida West Paving, Inc., to reflect a decrease in cost by \$5,400 on Project No. 667. Mr. Dierks seconded. Motion carried unanimously.

DAMAGE CLAIM BY LARRY GILCHRIST (HIGHWAY DEPARTMENT)

The County Attorney advised that Larry Gilchrist had presented a claim in the amount of \$72.00 for payment to a contract to repair damage to his property by the Highway Department heavy equipment in removing fill dirt placed on the property without the owner's consent. Deep impressions were left by the machinery and a contractor was hired to fill the depressions. He said it would be cheaper to pay the claim than the cost of possible litigation.

Motion was made by Mr. Dierks to authorize the County Attorney to prepare the necessary document for settlement of the claim by Larry Gilchrist in the amount of \$72.00. Motion was seconded by Mr. Hutches and carried unanimously.

SOUTH COUNTY LIBRARY

Motion was made by Mr. Hutches to waive the fee for application for Special Exception to permit extension on the South Manatee County Library. Motion was seconded by Mr. Dierks and carried unanimously.

LIBRARY: BIDS ON BOOKMOBILE

Phil Place, Director of Manatee County Library System, requested authorization to advertise for bids on the purchase of a new Bookmobile - to be awarded in October, 1976. There were no objections to his drawing up specifications at the present time for bid advertising at a later date.

WATER STORAGE TANKS: ARDAMAN & ASSOCIATES (AMENDMENT)

Herb Hayes presented and recommended approval of an amendment to the Ardaman & Associates Proposal (approved June 21, 1976) to include subsurface soil investigation analysis at a second tank site at 67th Street and Cortez Road at an approximate increase of \$2,000 to \$3,000. Motion was made by Mr. Hutches to approve the recommendation. Mr. Dierks seconded. Motion carried unanimously.

CONSTRUCTION TRUST FUNDS

Upon motion by Mr. Hutches, seconded by Mr. Dierks, the following Resolutions were unanimously adopted authorizing payment of

SEWER SYSTEM CONSTRUCTION TRUST FUND			
<u>Requisition No. 24.4 D-107</u>			
Mann, Fay & Price	\$2,135.00	RESOLUTION RECORDED	Z26-133
MCUS SPECIAL CONSTRUCTION ACCOUNT			
<u>Requisition No. 2</u>			
Russell & Axon	\$60,000.00	RESOLUTION RECORDED	Z26-134

HUMAN RESOURCES: OJT CONTRACT - SARASOTA/BRADENTON AIRPORT

Mr. Hutches made a motion to approve, ratify and confirm On-The-Job Training Contract No. \$-05 for the Sarasota-Bradenton Airport, in the amount of \$1,568.00 for the training of an Airport Security Officer, for the period July 6, 1976 to January 11, 1977. Motion was seconded by Mr. Burton and carried unanimously.

CONTRACT RECORDED Z26-135

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(Cont'd)

HUMAN RESOURCES: CETA TITLE I (PERSONNEL)

Mr. Dierks made a motion to approve a waiver of Section 1 k. (2) (a) of the Personnel Policy for the CETA Title I Work Experience Program in order to enable Senior Citizens over 64 years of age to be employed and receive training in part-time and short-term work experience, as requested by Regis Chapman, Director of Human Resources. Motion was seconded by Mr. Hutches and carried unanimously.

HUMAN RESOURCES: CETA TITLE I (SCHOOL BOARD)

Mr. Dierks made a motion to approve the CETA Title I, Section 112 Non-Financial Agreement with the School Board for 181 CETA Classroom Training Program Participants in the amount of \$56,000 (Manatee Area Vocational Technical School. Motion was seconded by Mr. Hutches and carried unanimously. RECORDED 226-136

PERSONNEL: PAYROLL CHANGES

Westwood Fletcher requested approval of previously coordinated personnel actions and authorization for the Chairman to execute the Payroll Change documents. Mr. Dierks questioned the necessity of approving salary increases until provided the manning levels of all county departments. This matter was deferred until later in the meeting pending further information. P-

MANATEE COUNTY HOUSING AUTHORITY: HUD PROJECT

Albert V. Kossa, Chairman of the Manatee County Housing Authority, submitted comments (letter dated June 29, 1976) concerning the 50 units HUD Section 8 Project for the elderly at Cortez Road and 68th Street West. (Preliminary Proposal by Schutte - Mochon, Inc., to construct units was acceptable to HUD).

NOISE CONTROL ORDINANCE

O. E. Randle presented a proposed Noise Control Ordinance, drafted by the Pollution Control Board, for Commission consideration.

PERSONNEL: PAYROLL CHANGES

Due to questions by Mr. Dierks concerning the differences of Groundskeeper I and II, Payroll Changes were deferred until later during the meeting.

FAIRLANE ACRES, 3RD ADDITION: BOND

The County Attorney presented a Cash Performance Bond in the amount of \$7,659.00 from Fairlane Utilities, Inc., in connection with replat of Third Addition to Fair Lane Acres, stating that he did not have the checks, only receipts from the Planning and Development Department, and recommended that the matter be deferred until it could be determined to whom the checks were payable. There were no objections to deferring the matter until Thursday, July 15, 1976.

BROOKSIDE ADDITION TO WHITFIELD ESTATES: BOND

The County Attorney referred to Board approval of reduction of the performance bond on Brookside Addition to Whitfield Estates (from \$615,558 to \$96,975.86) noting that new bond would have to be presented for approval.

CONSTRUCTION CODE BOARD OF APPEALS: CITY OF HOLMES BEACH.

The County Attorney advised that the City of Holmes Beach had adopted a resolution seeking approval of an amendment to the Agreement between Manatee County and the City (October, 1975) whereby the Planning and Development Department furnished administrative assistance to the City in connection with the Construction Code Board of Appeals; stating that this amendment would eliminate County furnishing assistance on Flood Hazard Insurance variances. He said that before the Board takes action on this matter the Resolution and Amended Agreement should be sent back to the City to have official seal properly affixed.

LITIGATION: SUPER 50 THEATRE CORPORATION

The County Attorney advised that the Super 50 Theatre Corporation vs. Manatee County Case No. CA-76-348 (re: denial zoning for flea market) had been dismissed with prejudice on or about July 1, 1976 and the County is no longer involved in this litigation.

GOVERNMENT CENTER

Mr. Dierks made a motion that the Board notify Zoller-Abbott, architect, to discontinue any advance work on the proposed Governmental Center until such time as they present drawings and sketches on what has been done to date inasmuch as the Board does not anticipate going to referendum this year, and that a work session be scheduled on this matter. Motion was seconded by Mr. Hutches and carried unanimously.

SALES & USE TAX REPORT

Mr. Hutches made a motion that the Chairman be authorized to sign the Sales and Use Tax Report to the Florida Department of Revenue for the quarter ending June 30, 1976. Motion was seconded by Mr. Dierks and carried unanimously.

BUDGET AMENDMENTS

Upon motion by Mr. Burton, seconded by Mr. Hutches, the following Resolutions were unanimously adopted authorizing the transfer of funds within the budgets of various departments:

Emergency Medical Department

From: Salaries \$9,800.00

To: Insurance Hospital \$1,500; Gas & Oil \$1,200; Medical Supplies \$450; Oxygen \$150; Dry Cleaning & Laundry \$1,400; Communications \$1,000; Radio Repair \$1,000; Maint. of Bldgs \$200; Ambulance Repairs \$2,900.

9,800.00

RESOLUTION RECORDED 226-137

Score Grant Department

From: Other Supplies \$270; Office Supplies \$130; Travel \$100 \$ 500.00

To: Equipment \$400; (Maintenance); Postage \$100.

500.00

RESOLUTION RECORDED 226-138

Talking Book Grant

From: Records \$1,450.00

To: Hospital Insurance \$125; SS & Retirement \$165; Salaries \$1,160.

1,450.00

RESOLUTION RECORDED 226-139

Library Operating

From: Book Processing Fees \$1,000.00

To: Books, Standing order

1,000.00

RESOLUTION RECORDED 226-140

Road & Bridge

From: Overtime \$25,000; Resurfacing \$150,000; Street Drainage \$40,000.

\$215,000.00

To: Overtime \$25,000; Resurfacing \$150,000; Street Drainage \$40,000.

215,000.00

RESOLUTION RECORDED 226-141

Circuit Court Office Expense

From: Contracted Services \$ 400.00

To: Contracted Services

400.00

RESOLUTION RECORDED 226-142

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(Cont'd)

Sheriff Department

From: SS Retirement Matching
 To: SS Retirement Matching

\$227,259.00

227,259.00

RESOLUTION RECORDED 226-143

Ambulance Department

From: Gas & Oil \$8,000; General
 Supplies \$300.

\$8,300.00

To: Gas & Oil \$8,000; General
 Supplies \$300.

8,300.00

RESOLUTION RECORDED 226-144

BUDGET 1976-1977

Mr. Bourne presented a tentative budget for the 1976-1977 fiscal year, derived from budget requests submitted by the County Departments, stating that the total is \$31,413,560.00, of which \$17,263,274. is from ad valorem taxes and to produce this amount would require a millage rate of 15.349.

AMBULANCE SERVICE: BID AWARD 1976 AMBULANCE (CORRECTION)

Mr. Hutches made a motion that the record of March 30, 1976 be corrected to show bid award to Fruehauf Division for one 1976 ambulance instead of accepting bid of Modular Ambulance Corporation. The bid was submitted by Fruehauf Division, with Modular Ambulance as the manufacturer, and it was the intention of the Board to accept the low bid by Fruehauf. Motion was seconded by Mr. Dierks and carried unanimously.

WARRANT LISTS & REQUISITIONS

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

BILLS FOR PAYMENT

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

Sam A. Cornwell: Sewer Assessment on Water Tank located south side Cortez Road at 59th Street W. - referred to MCUS	\$1,651.20
Professional Ancillary Services, Inc.	\$ 50.00
Doug Croll (Library)	2,725.81
City of Bradenton (Library)	12.98
SuSay Land Development	5,115.00
Mann, Fay & Price	3,018.00; \$490.00;
	92.50
Kearney & Mulock (Pollution Control)	385.50

MINUTES OF PREVIOUS MEETINGS

Upon motion by Mr. Hutches, seconded by Mr. Dierks, minutes of previous meetings were unanimously approved:

REGULAR MEETINGS OF APRIL 27, MAY 4, MAY 11, 1976

SPECIAL MEETINGS OF APRIL 22, MAY 6, MAY 13, 1976

-VOTING CONFLICT

L. H. Fortson, Jr., filed for the record Form No. 4 Memorandum of Voting Conflict on a matter before the Board of County Commissioners on July 7, 1976.

GREEN BRIDGE: OPERATING HOURS

The Chairman read a letter from Senator Tom Gallen with enclosures of correspondence recommending and requesting that he encourage the Florida Department of Transportation to make a change in hours of

operation of the Green Bridge. He said before pursuing the matter he would like to see the cities of Bradenton and Palmetto, jointly with Manatee County, give their advice to the legislative delegation and the Florida Department of Transportation.

Mr. Burton, Chairman of the Highway Committee, advised that ht would contact the Cities for their advice. Copy of the letter was sent to the County Engineer for review.

INSURANCE: IN-LAND MARINE COVERAGE

Neville Pilling requested authority to obtain estimates as to the cost of In-Land Marine Insurance, excluding any equipment that has a value of less than \$5000.00, as outlined in Paragraph 9, part 4, page 2 of the Insurance Recommendation Report. There were no objections from members of the Board.

Mr. Pilling requested that the County Attorney be authorized to review the Insurance Recommendation Report. There were no objections.

PERSONNEL: PAYROLL CHANGES

Mr. Dierks made a motion to approve the Personnel Payroll Changes and that the Chairman be authorized to execute the appropriate documents, but abstain from any additional new hires and salary increases until Thursday, July 15, 1976. Motion was seconded by Mr. Burton and carried unanimously.

WARRANT LISTS

June, 1976

General Revenue	31354 - 31387
Clearing Account	22867 - 24007
Road & Bridge	12134 - 12147
Library Operating	879 - 997
Hospital I & S	144 - 146
SCORE	821 - 828
Talking Books	2270 - 2276
Federal Revenue Sharing	2528 - 2535
Performance Bond	64 - 66
Pollution	739 - 740
Library Construction	935 - 942
Historical Commission	686 - 688
CETA III	1055 - 1056
CETA VI	2461 - 2469
CETA I	1041 - 1045
Manpower	2605 - 2611
CETA II	1175 - 1180
<u>Manatee County Utilities System:</u>	
24.4 Revenue	0236 - 0239
13.5 Revenue	4748 - 4784
3.485 Revenue	5291 - 5303
1.65 Revenue	1270 - 1285
General Control	1347 - 1526
24.4 R & R	121
13.5 R & R	195
3.485 R & R	170
1.65 R & R	170

MEETING ADJOURNED

There being no further business the meeting was declared adjourned.

Attest: M. T. McInnis, Clerk


Deputy Clerk

APPROVED:


Chairman