

AUGUST 24, 1976

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in Bradenton, Florida, in the Manatee County Courthouse, on Tuesday, August 24, 1976, at 9:05 A. M.

Present were Commissioners Ken Burton, Interim Vice Chairman
Ken D. Dierks
Robert C. Hutches

Also present were Henry E. Bourne, Deputy Clerk
E. N. Fay, Jr., County Attorney

Chairman L.H. Fortson, Jr., and Vice-Chairman Dan P. McClure were not present.

The meeting was called to order by the Interim Vice-Chairman, Ken Burton.

MINUTES APPROVED

Mr Dierks made a motion to approve the Minutes of previous meetings as follows:

REGULAR MEETINGS of June 15, 22, 29, 1976

SPECIAL MEETINGS of June 17, 24, 1976.

The motion was seconded by Mr Hutches and carried unanimously.

LOT CLEARING

Public hearing was opened to consider Petition LC-1049 - Margaret V. Kerlin alleging that property owned by Juanita E. George had not been cleared in accordance with the requirements of Chapter 69-1284, Laws of Florida, Special Acts of 1969.

Dave Fulford recommended that the lot be cleared. Since no one was present in the interest of the petitioner or the property owner, the public hearing was closed.

Mr Hutches made a motion to adopt a resolution demanding that the property owner, Juanita E. George, take corrective action with regard to the land as petitioned. Motion was seconded by Mr Dierks and carried unanimously.

RESOLUTION RECORDED 226-193

AGRICULTURAL CENTER: RE-ROOFING HARLLEE BUILDING (BIDS)

Mr Bourne advised that no bids were received for the re-roofing of the Harllee Building at the Agricultural Center.

INSURANCE: BIDS - UNLICENSED VEHICLES

Mr Bourne opened and read the following bids for the purpose of selecting a supplier of insurance on unlicensed vehicles and road building equipment and other miscellaneous portable equipment owned by Manatee County against fire, theft, lightning and other perils:

WYMAN, GREEN & BLALOCK - Aetna Insurance Company - \$5,908.00

EMPLOYERS INSURANCE OF WAUSAU - Employers Mutual Liability Insurance Company of Wisconsin - \$7,797.00 (Alternate Bid \$10,533.00)

DICK, JOHNSON & JEFFERSON, INC - The American Insurance Company - \$4,697.00 (Alternate Bid - \$4,747.00)

McDONALD INSURANCE AGENCY - Kemper Insurance - \$6,248.00 (Alternate Bids - \$6,728.00; \$4,325.00).

Since there were no objections, the bids were referred to Mr Pilling for tabulation.

STATE ROAD NO. 70; INTERSTATE NO. 75

Carlos Ugarte, County Engineer, advised that Wednesday, August 25, 1976, is the opening date for the bids on the construction of State Road 70, and that it would possibly be constructed before the end of the year.

Mr Ugarte stated that he attended a meeting in Fort Myers the past Thursday, August 19, regarding Interstate 75. He was advised by the Department of Transportation that their two priorities, the Fort Myers By-Pass and the Manatee-Sarasota By-Pass should be ready for construction within a couple years.

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U. S. 301

Upon question from Mr Dierks, regarding the status of the US 301 interchanges, Mr Hutches advised that the Department of Transportation had to complete engineering designs on the interchanges before determination can be made on properties that must be acquired for rights-of-way.

ZONING

In connection with

SE-919 and SE-925 MACREADIE BAR ET UX

Requests for two mobilehomes as dwellings on two parcels of land (5 acres each, north of State Road 70, east of Bethany Road, Verna) which were approved August 17, 1976, subject to the County Attorney's submitting a legal opinion regarding access to the property, Mr Hutches stated that the problem with the access is now being worked out. Mr Fay advised that he had suggested to the Board that the property owner either apply for a private road or comply with Ordinance 74-3. Mr Hutches stated that the road had been there and has been used for some time and that the legal status of the road should be cleared up so that the property could be used.

PARKS & RECREATION: DOCK CONSTRUCTION - CHANGE ORDER

Mike Pascuzzi, Assistant Director of Parks & Recreation Department, requested approval of a change order to the contract of Baker Enterprises, Inc., for the construction of boat docks at Sarasota Pass (Kingfish Ramp) and the Braden River. He stated that the change would be materials, at no additional cost, however, it would take an additional 30 days to complete the work.

Mr Fay advised that the plans and specifications of the original contract did not include the materials to be used, and that Baker Enterprises should furnish the actual details for a change order to be approved by the project engineer, Dan Zoller Engineering.

Mr Hutches made a motion that the change order be approved and the 30 days extension be granted, subject to the document being drawn up for presentation to the Chairman for signature.

Upon recommendation of the County Attorney, the motion was withdrawn and Mr Dierks made a motion that the County Attorney be authorized to prepare the necessary change order for resubmission to the Board. Motion was seconded by Mr Hutches and carried unanimously.

PARKS & RECREATION: FISHING REEFS

Mr Hutches made a motion to adopt a resolution authorizing the submission of a Recreation Department Assistance Project Application to the Department of Natural Resources, Division of Recreation and Parks for the establishment of 8 fishing reefs in the waters of Manatee County. Motion was seconded by Mr Dierks and carried unanimously.

RESOLUTION RECORDED 226-194

WARRANT LISTS & REQUISITIONS

Mr Dierks made a motion to approve Warrant List and Requisitions from August 17 to August 24, 1976, and authorize Warrant Lists to August 31, 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.

PERSONNEL: PAYROLL CHANGES

Mr Dierks made a motion to approve and authorize the Interim Vice-Chairman to sign the appropriate document of previously coordinated personnel payroll modifications (new hires, terminations, reclassifications, salary increases, etc), as presented by the Personnel Director.

BILLS FOR PAYMENT

Mr Dierks made a motion, seconded by Mr Hutches, motion carried unanimously, to approve the following bills for payment:

Manatee Memorial Hospital	\$376.00;	\$4,729.69
L.W. Blake Hospital	\$1,053.18	

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SEWER REVENUE AND ASSESSMENT BONDS

Mr Dierks made a motion to adopt a resolution
CONFIRMING THE PURCHASE OF CERTAIN SEWER REVENUE AND ASSESSMENT
BONDS, SERIES 1971 (TOTAL FACE VALUE OF \$150,000.00) AS CERTI-
FIED BY THE DIRECTOR OF THE UTILITIES SYSTEM, AND DIRECTING THE
CANCELLATION THEREOF.

Motion was seconded by Mr Hutches and carried unanimously.

RESOLUTION RECORDED 226-195

MCUS SPECIAL CONSTRUCTION

Mr Hutches made a motion to adopt a resolution
AUTHORIZING PAYMENT FROM THE MCUS SPECIAL CONSTRUCTION ACCOUNT
FOR REQUISITION # 3, IN THE AMOUNT OF \$30,000. TO RUSSELL & AXON.

Motion was seconded by Mr Dierks and carried unanimously.

RESOLUTION RECORDED 226-196

MCUS: FUND TRANSFER (\$24.4)

Mr Hutches made a motion to adopt a resolution
AUTHORIZING THE SOUTHEAST NATIONAL BANK TO TRANSFER \$175,000
FROM \$24.4M RESERVE ACCOUNT TO THE \$24.4M PRINCIPAL AND
INTEREST ACCOUNT.

Motion was seconded by Mr Dierks and carried unanimously.

RESOLUTION RECORDED 226-197

CONSTRUCTION TRUST FUNDS

Mr Dierks made a motion to adopt a resolution authorizing payment of:

Water System Construction Trust Fund Requisition #11.650-D-42
Russell & Axon \$252.34

Motion was seconded by Mr Hutches and carried unanimously.

RESOLUTION RECORDED 226-198

Mr Dierks made a motion to adopt a resolution authorizing payment of:

Water System Construction Trust Fund Requisition #11.650-B-78
MCUS, \$13.5M Revenue Account \$1,475.69

Motion was seconded by Mr Hutches and carried unanimously.

RESOLUTION RECORDED 226-199

MCUS: CERTIFICATE OF DEPOSIT (\$13.5M)

Mr Hutches made a motion to adopt a resolution
AUTHORIZING THE ISLAND BANK TO PURCHASE A 6 MONTHS CERTIFICATE
OF DEPOSIT IN THE AMOUNT OF \$150,000 @ 5.75% INTEREST FROM THE
\$13.5M METER DEPOSIT ACCOUNT.

Motion was seconded by Mr Dierks and carried unanimously.

RESOLUTION RECORDED 226-200

INSURANCE: WORKMEN'S COMPENSATION - AGREEMENT

Mr Hutches made a motion to approve and authorize the execution of a
Workmen's Compensation Service Agreement between the County and Employer's
Group Insurance, Inc. (Jack Zickafoose Financial Services) for the per-
formance of certain risk management and servicing functions of a Workmen's
Compensation Self Insurance Program. The motion was seconded by Mr
Dierks and carried unanimously.

AGREEMENT RECORDED 226-201

BOARD OF TAX ADJUSTMENT

Mr Dierks made a motion that the meeting date for the Board of Tax Ad-
justment be changed from September 15 to September 16, 1976, at 9:00 A.M.
because of a conflict in the use of the meeting room.

Motion was seconded by Mr Hutches and carried unanimously.

The Clerk's Office was instructed to notify the School Board Members
and to publish the notice of the meeting.

PERSONNEL: PAY PLAN - CORRECTION

Mr Hutches made a motion to adopt a resolution correcting a scrivener's
error or oversight in Enclosure #1 of the Manatee County Pay Plan to

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accurately reflect the intended hourly pay scale for three employees of the Manatee County Emergency Medical Services, to be effective as of May 29, 1976.

Motion was seconded by Mr Dierks and carried unanimously.

RESOLUTION RECORDED Y25-110
(12-11-75)

UTILITY EASEMENT (MCUS)

Mr Hutches made a motion to accept and record a Utility Easement granted by Howard P. Horton. (For Manatee County Utilities System). Motion was seconded by Mr Dierks and carried unanimously.

ELECTIONS: REFERENDUM RE CITY OF HOLMES

Mr Fay advised that a request had been received from the City of Holmes Beach to place on the Ballot for November 2, 1976, the question "SHALL THE PROPOSED AMENDED CHARTER OF THE CITY OF HOLMES BEACH BE ADOPTED?" in Precincts 47 and 48.

Mr Dierks made a motion to authorize and instruct the Supervisor of Elections to put the question on the Ballot. Motion was seconded by Mr Hutches and carried unanimously.

TRANSIT DEPARTMENT: OPERATIONAL GRANTS

Phil Davis stated that he had been notified by Congressman Haley's office that the Operational Grant for Fiscal Year 74-75, in the amount of \$31,987.00 and the Operational Grant for Fiscal Year 75-76, in the amount of \$52,364.00 had been approved.

TRANSIT: BIDS AWARDED - OFFICE FURNITURE

Phil Davis recommended, based on the Board's instructions of August 17, that the bids for the office furniture be awarded to the low bidders as follows:

HOCKENBURY OFFICE SUPPLY

2 desks \$369.00; 2 desks \$241.64; 2 bookcases \$79.80; 1 safe \$185.00

P.K. SMITH OFFICE PRODUCTS

2 chairs \$124.50; 2 chairs \$93.98; 9 chairs \$213.48; 1 table \$45.82

1 cabinet \$67.53; 1 typewriter \$531.70

KEETON'S OFFICE SUPPLY

5 file cabinets \$411.25; 1 table \$53.25

Mr Davis stated that the total amount of the bids for the furniture is \$2,555.19, and that there is \$3,080.00 available from the grant funds. Mr Hutches made a motion to accept the low bids. Motion was seconded by Mr Dierks and carried unanimously.

TRANSIT: HOLIDAY RUNS

Mr Davis recommended that the buses not make their regularly scheduled runs on Labor Day, September 6, 1976. He stated that, based on past experience, he did not feel there would be a demand for service and would experience high operating costs as a result of the holiday operations. Mr Dierks made a motion to delete the operation of the bus service on Labor Day and Mr Hutches seconded for the purpose of discussion. He asked Mr Davis for figures on previous days' runs during holidays. Mr Davis stated he did not have exact figures, but that it would involve time-and-a-half pay basis for the three employees needed for operation, plus the cost of operating the buses.

Mr Hutches withdrew his second because this did involve a three-day week end and he felt that the people who do rely on the buses should have transportation to visit the hospitals and the shopping centers.

RECESS

After a short recess, the meeting reconvened at 10:00 A.M.

STATE ROADS NO. 70-A; NO. 683 (MCUS PERMITS)

Mr Hutches made a motion, seconded by Mr Dierks and carried unanimously, to adopt resolutions (6)

AUTHORIZING THE EXECUTION OF APPLICATIONS (6) TO THE STATE DEPARTMENT OF TRANSPORTATION FOR USE PERMITS FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF UTILITY LINES WITHIN THE RIGHT OF WAY OF:

SR 70A (15th St, E.) Section No. 13120 from MP Station 50.000
to MP Station 50.193

SR 683 (US 301) Section No. 13120 from MP Station 3.496
to MP Station 4.144

SR 683 (US 301) Section No. 13120 from MP Station 4.137
to MP Station 4.689

SR 683 (US 301) Section No. 13120 from MP Station 2.381
to MP Station 3.081

SR 683 (US 301) Section No. 13120 from MP Station 4.702
to MP Station 4.918

SR 683 (US 301) Section No. 13120 from MP Station 4.968
to MP Station 5.235.

RESOLUTIONS RECORDED Z26-202 to
Z26-207
Incl

CONSTRUCTION TRUST FUND

Mr Hutches made a motion to adopt a resolution authorizing payment of:

Water System Construction Trust Fund Requisition #11.650-D-43

Russell & Axon \$21,696.44

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RESOLUTION RECORDED Z26-208

PHOSPHATE MINING - REFERENDUM

C.B. House, 10436 Sandpiper Road West, Bradenton, and Attorney Don Hadsock, representing Save Our Bays and the Federation of Manatee County Community Association, appeared before the board to submit (1) a proposed ordinance to be enacted, providing for a special referendum election on November 2, 1976; (2) the notices of public hearing to consider the ordinance to be published, and (3) supporting petitions, signed by approximately 8,300 residents of Manatee County requesting that the Board approve and require the holding of a Special Referendum Election on November 2, 1976, for the purpose of submitting to the voters, the following question:

" SHOULD PERMITS AND/OR SPECIAL EXCEPTIONS FOR STRIP
MINING OF PHOSPHATE BE GRANTED WITHIN MANATEE
COUNTY, FLORIDA?"

They then requested that the Board set a date for the public hearing. After a lengthy discussion, Mr Burton advised that the material submitted would be accepted, and that he would contact Mr McClure and Mr Fortson to get their feelings on holding the public hearing and would then notify Mr House and Mr Hadsock of the decision on Thursday, August 26, 1976.

RECESS

After a short recess, the meeting reconvened at 11:12 A.M.

Mr Jefferson Asbury, Councilman of the City of Holmes Beach, read Resolution 76-9, adopted by the City of Holmes Beach, urging the County to place upon the ballot of the next general election a referendum concerning the granting of permits for strip mining of phosphate in Manatee County.

Upon question from Woody Townsend, Mr Fischer replied that the Board has the right to waive any provisions of the Mining Ordinance.

PUBLIC WORKS PROJECT - DOWNTOWN PARKING GARAGE

Steve Albee, representing the Chamber of Commerce, advised that the Board of Directors of the Chamber voted 5 to 4 to support the construction of a Parking Garage in the downtown Bradenton area as a priority use of the Public Works Project funds, and presented a resolution adopted by the Chamber to that effect.

The County Attorney gave a brief report on the meeting he attended with the Attorney for the City of Bradenton and the Attorney for the Downtown Development Authority in connection with the feasibility of a Parking Garage in the downtown area as a project for the Public Works funds.

* Motion was seconded by Mr Dierks and carried unananimously.

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CETA I: FLORIDA STATE EMPLOYMENT SERVICE

Mr Hutches made a motion to approve a CETA Title I Modification No. 1 with the Florida State Employment Service to extend the period of the contract to September 30, 1976, while reducing the contract amount to \$117,813.00. Motion was seconded by Mr Dierks and carried unanimously.

CETA I: STATE MANPOWER SERVICES

AGREEMENT RECORDED Z26-209

Regis Chapman requested authority to submit a proposal to the State Manpower Service Council under Section 106 (Governor's discretionary share of CETA Title I). Stating that the program will provide classroom training for hard core unemployed school dropouts, and that the amount requested in the grant application will be \$130,079.00.

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

BUDGET AMENDMENTS

Mr Bourne stated that a resolution had been adopted in the meeting of August 10, 1976, authorizing the transfer of funds within the MVI budget in the amount of \$500.00; requested that the previous action be withdrawn since the amount should have been \$50.00, and requested the adoption of a resolution authorizing the transfer of funds within the MVI budget as follows:

From: Maintenance of Equipment	\$50.00
TO: General Supplies	\$50.00

Mr Dierks made a motion to rescind the action of August 10, 1976, and to adopt the corrected resolution. Motion was seconded by Mr Hutches and carried unanimously.

RESOLUTION RECORDED Z26-210

Mr Hutches made a motion, seconded by Mr Dierks and carried unanimously, to adopt resolutions (5) authorizing the transfer of funds within the following budgets:

> Park and Recreation

From: Materials & Supplies	\$500.00
TO: Rentals	\$500.00

RESOLUTION RECORDED Z26-211

MVI

From: Maintenance of Buildings	\$50.00
TO: Uniforms	\$50.00

RESOLUTION RECORDED Z26-212

Various Departments

1) Circuit Court Court Costs - \$6,000.00
 From: Attorney Fees \$5,000.00; State Attorney Fees \$1,000.00
 TO: Judges Medical Exam \$5,000.00; State's Attorney Other \$1,000.00

2) Clerk of Circuit Court - \$8,000.00
 From: Rentals \$3,000.00; Maintenance of Equipment \$5,000.00
 TO: Office Supplies \$8,000.00

3) County Attorney - \$30,000.00
 From: Retainer Fee \$30,000.00
 TO: Attorney Fees \$30,000.00

4) County Commissioners - \$7,100.00
 From: Equipment \$2,000; Maintenance of Equipment \$800; Commission Fees, Costs \$3000; Newspapers, Books \$300; Dues \$1,000
 TO: Office Supplies \$500; Travel & Auto Allowance \$1,800; Communications \$2,300; Contracted Services \$2,500.

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- 5) Civil Defense - \$300.00
From: Salaries-Add. Person \$ 300.
TO: Office Supplies \$100; Travel \$100; Maintenance of
Equipment \$100.
- 6) County Transit - \$100.00
From: Supplies \$100
TO: Other Supplies \$100.
- 7) Custodian of Buildings - \$32,125.00
From: Utilities \$30,000; Maintenance of Building \$2,125.
TO: Gasoline & Lubricants \$50; Travel \$75; Communications
\$12,000; Maintenance of Equipment \$1,000; Maintenance
of Other Buildings \$6,000; Utilities of Other
Buildings \$13,000.
- 8) Deputy Clerk - \$300.00
From: Contracted Services \$300
TO: Books \$300.
- 9) Work Release - \$1,000.00
From: Communications \$1,000
TO: Food & Dietary \$1,000.
- Work Release - \$1,800.00
From: Communications \$1,500; Travel \$300
TO: Food & Dietary \$1,800
- RESOLUTION RECORDED Z26-213
RESOLUTION RECORDED Z26-214

BILLS FOR PAYMENT (ZICKAFOOSE)

In connection with the Workmen's Compensation Service Agreement, approved earlier in the meeting, Mr Bourne presented a bill for payment from Jack Zickafoose Financial Services, Inc., showing the following items:

Claims Fund \$10,000.00
Reinsurance (Employers re) \$12,890.00
Estimated First Quarter Service Fee \$3,490.00

Mr Dierks made a motion to approve the bill for payment. Motion was seconded by Mr Hutches and carried unanimously.

BOND

Mr Dierks made a motion, seconded by Mr Hutches and carried unanimously to approve the following bond:

Moving and Alteration of Building Bond

R.E. JOHNSON & SONS - Safeco Insurance Co. of America \$2,000.
for Charlie Reeves - Pre-Moving No. 7213

LENNOX SUBDIVISION, ROBERT

Mr Hutches made a motion, seconded by Mr Dierks and unanimously carried to accept and record the Final Plat of Robert Lennox Subdivision, located in the Town of Longboat Key.

TAMPA BAY REGIONAL PLANNING COUNCIL

Mr Hutches made a motion to accept a check in the amount of \$2,500.00 from the Tampa Bay Regional Planning Council. Motion was seconded by Mr Dierks and carried unanimously.

GEOLOGICAL SURVEY

Mr Burton presented an agreement between the County and the U.S. Geological Survey, covering the period of October 1, 1976 to September 30, 1977, for the last year of the program for a preliminary evaluation of the hydrology of Manatee County. He stated that the agreement is for \$20,000.00, of which the County's share is \$10,000. Since the County's share is not budgeted, and the agreement is not effective until October 1, 1976, the matter was deferred.

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POLLUTION CONTROL BONDS: STATE LOAN NO. 2

Mr Burton read a letter from the Department of Environmental Regulations showing disposition of Bond Proceeds, State Bond Loan Program, Pollution Control Bonds, Series E (State Bond Loan No. 2 to Manatee County) and method of withdrawal of funds.

HEALTH DEPARTMENT: HILL-BURTON GRANT

In connection with the Hill-Burton Grant, in the amount of \$73,000, for the Health Department (Project # Fla-B-108), Don Shepherd, Grants Coordinator, requested that the Board authorize the Chairman to re-execute an updated contract with the Department of Health and Rehabilitative Services for the grant.

Mr Hutches made a motion that the Chairman be authorized to reexecute the contract, subject to its being the same document. Motion was seconded by Mr Dierks and carried unanimously.

CONSTRUCTION TRUST FUND

Mr Hutches made a motion to adopt a resolution authorizing payment of:

Sewer System Construction Trust Fund Requisition #24.4-B-176

Bradenton Herald

\$180.72

RESOLUTION

Motion was seconded by Mr Dierks and carried unanimously.

RECORDED
226-215

MEETING ADJOURNED

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

Attest: M. T. McINNIS, Clerk

APPROVED:

By:


Deputy Clerk


Chairman