

SEPTEMBER 21, 1976

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Manatee County Courthouse, Bradenton, Florida on Tuesday, September 21, 1976, at 9:08 a.m.

Present were Commissioners L.H. Fortson, Jr., Chairman
Dan P. McClure, Vice Chairman
Ken D. Dierks
Ken Burton
Also present were R.C. Hutches (entered during meeting)
Henry E. Bourne, Deputy Clerk
E.N. "Bill" Fay, Jr, County Atty (entered during meeting)

The meeting was called to order by Chairman Fortson.

PROJECT NO. 760

Chairman opened the public hearing for the purpose of considering Special Assessments as contained in the Preliminary Special Improvement Assessment Roll for Road Improvements in

PROJECT NO. 760 - 21st Avenue East from 12th Street East to 15th Street East (\$12.06 per front foot)

(Enter Mr Hutches and Mr Fay)

There were no objections and the public hearing was closed. Mr Hutches made motion, seconded by Mr McClure, for the adoption of a resolution sustaining the Special Improvement Assessment Roll on Project No. 760, and imposing liens against all lots or parcels of land for such amounts as are reflected in said Roll. Motion carried unanimously.

RESOLUTION RECORDED Z26-254

PROJECT NO. 639

The Chairman declared the public hearing open for the purpose of hearing objections to Special Improvements on

PROJECT NO. 639 - 27th Street West from 45th Avenue West to 46th Avenue West and 45th Avenue West from 26th Street West to 28th Street West

Bob Moon, Right-of-Way Agent, stated that a property owner on 45th Avenue had advised him that a large portion of that street had recently been resurfaced by the Utilities System, except for about 50 feet.

J. Brower Davis, 2612 45th Avenue West, stated that he did approve of the project, except for the repaving of that one portion already paved.

Mr Moon stated that if this portion was deleted from the project, a new petition would have to be circulated, the project would have to be refigured and a new public hearing would have to be scheduled, according to the policy of the Board.

Also present to speak on the subject was Virginia Trout, 27th Street West, and an unidentified property owner that lives on the corner of 26th Street West and 45th Avenue, who objected to the repaving of that one portion of 45th Avenue.

John Patterson, 27th Street West, objected to the project because it did not include all of 27th Street West, and he suggested that in the future, participation projects go to the end of the street, instead of stopping in the middle of a block. He was advised that it is the responsibility of the petitioner to contact the property owners, but when these matters are brought to the Board's attention in the future, they will request the petitioner to do this.

There was no one else present to speak on the project, and the Chairman closed the public hearing. He advised that he and the County Engineer would review the matter and action would be deferred until September 28, 1976.

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HEALTH DEPARTMENT: BIDS - ALTERATIONS & ADDITIONS

Sealed bids for alterations and additions to the Manatee County Health Department were opened and read as follows:

		Alternate No. 1
1) DeLesline Construction	\$165,500.00	deduct \$20,00.00
2) Forest Construction	\$184,893.00	deduct \$25,682.00
3) Lester A. Green, Inc	\$155,000.00	deduct \$20,171.00
4) Gulf Coast Construction	No bid	
5) Bill Halfacre, Inc	\$147,154.00	deduct \$28,525.00
6) Larsen Brothers	\$164,800.00	deduct \$30,500.00
7) Lehman Enterprises	\$185,884.00	deduct \$25,884.00
8) W.G. Mills, Inc	\$162,900.00	deduct \$20,000.00
9) Rasmussen Construction	\$162,000.00	deduct \$26,000.00
10) Chennault, Inc	\$169,480.00	deduct \$27,400.00

The bids were referred to Architect Doug Croll, the Health Department, and the Commissioner for the Health Department for tabulation and recommendation.

ZONING

Art Fischer, Planning and Development Director, presented recommendations from the Planning Commission:

R-781 - PAUL NEAL, Jr and EULIA WHITLOCK STATHIS

Requesting to change the present zoning from R-3 District to C-1 District for commercial use of approximately 8.5 acres, located at 4000 44th Ave West (Cortez Road).

The Planning Commission recommended approval.

Mr McClure made motion to approve R-781 as recommended by the Zoning Director, and to adopt the appropriate resolution. Motion was seconded by Mr Burton and carried unanimously. (Mr Hutches was not present for the vote)

RESOLUTION RECORDED

ZONING
R-781**BUILDING CODE (PUBLIC HEARING)**

Art Fischer and Bob Brown requested permission to advertise for a public hearing on October 26, at 9:00 a.m., to consider changes in the Manatee County Building Code: (1) Instructions on the issuance of Contractors Certificates of Competency and (2) Emergency Egress openings.

Mr McClure made motion that the public hearing be advertised to be held October 26, 1976, at 9:00 a.m., to consider changes in the Building Code. Motion was seconded by Mr Burton and carried unanimously. (Mr Hutches was not present to vote)

PUBLIC WORKS GRANT, TITLE I

Mr Fischer reported that he was in receipt of the application forms and the guidelines for the Title I Public Works Grant Program; that he has informed everyone of interest to proceed with the preparation of narratives and as the applications are received, they will be completed by his department and brought to the Board's attention.

LOT CLEARING

Chairman opened the public hearing to consider

LC-1062 - petition of Janet L. Burke, alleging that certain lands owned by Thomas and Mary Irvin has not been cleared in accordance with the requirements of Section 2 of Chapter 69-1284, Laws of Florida, Special Acts of 1969.

Dave Fulford presented evidence that the property needed clearing. No one was present to represent the petitioner or the property owners and the public hearing was closed.

Mr Hutches made motion to adopt a resolution finding that the property owners, Thomas and Mary Irvin, had failed to comply with lot clearing law and demanding that said property owner take corrective action with regard to said land. Motion was seconded by Mr Burton and carried unanimously.

RESOLUTION RECORDED 226-255

Mr Fortson advised that there were three lot clearing petitions on which the public hearings had been held and action deferred.

LC-1044 - petition of Pearl L. Keller, alleging that certain lands owned by The Rocrest Co., Harbor Ventures, Inc, and Frederick E. Winkler (as Trustee), had not been cleared in accordance with the requirements of Section 2 of Chapter 69-1284, Laws of Florida, Special Acts of 1969. (deferred from August 31 and September 7).

Mr. Fulford advised that the lot needed clearing and presented evidence to that effect.

Mr Dierks made motion to adopt a resolution finding that the property owners, the Rocrest Co., Harbor Ventures, Inc, and Frederick E. Winkler (as Trustee), had failed to comply with the lot clearing law and demanding that said property owners take corrective action with regard to said land. Motion was seconded by Mr Hutches and carried unanimously.

RESOLUTION RECORDED Z26-256

LC-1057 - petition of Eleanor N. Holcombe, alleging that certain lands owned by Lillian M. Newman, had not been cleared in accordance with Section 2, Chapter 69-1284, Laws of Florida, Special Acts of 1969. (deferred from August 31 and September 7)

Mr Fulford recommended that the lot be cleared.

Mr Dierks made motion to adopt a resolution finding that the property owner, Lillian M. Newman, had failed to comply with the lot clearing law and demanding that said property owner take corrective action with regard to said land. Motion was seconded by Mr Hutches and carried unanimously.

RESOLUTION RECORDED Z26-257

LC-1059 - petition of Paul M. Tunison, alleging that certain lands owned by Walter V. and Jean M. Woods had not been cleared in accordance with Section 2, Chapter 69-1284, Laws of Florida, Special Acts of 1969. (deferred from September 14, 1976)

Mr Fulford presented evidence and recommended that the lot be cleared.

Motion was made by Mr McClure to adopt a resolution finding that the property owner, Walter V. and Jean M. Woods, had failed to comply with the lot clearing law and demanding that said property owner take corrective action with regard to said lands. Motion was seconded by Mr Hutches and carried unanimously.

RESOLUTION RECORDED Z26-258

LEAGUE OF WOMEN VOTERS: "POPCORN & POLITICS"

Mr Dierks made motion that the Chairman be authorized to execute the League of Women Voters Proclamation, proclaiming Saturday, October 16, 1976, as Popcorn and Politics Day in Manatee County, as presented by Ms Jackie Finney. Motion was seconded by Mr McClure and carried unanimously.

PROCLAMATION RECORDED Z26-259

TRAVEL: HIGHWAY DEPARTMENT

Mr Burton made motion that Pierro and Herman White, Highway Department employees, be authorized to attend an Urban Hydrology Workshop in Orlando on September 23, 1976, and approve a \$90.00 check for the Registration fee, as requested by the County Engineer. Motion was seconded by Mr Hutches and carried unanimously.

PARKS & RECREATION ADVISORY BOARD: RECOMMENDATIONS COQUINA BEACH

Mr McClure advised that the Park and Recreation Advisory Board recommended approval of the Coquina Beach Concession Agreement between the County and Harry L. and Phyllis J. Pierce, as submitted by the County Attorney, and made motion that the Chairman be authorized to execute the agreement. Mr Dierks seconded, and motion carried unanimously.

AGREEMENT RECORDED Z26-260

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Cont'd

PARKS & RECREATION

Mr McClure further advised that the Park & Recreation Advisory Board recommended the following:

- (1) That no action be taken on the Anna Maria Fishing Pier until all legal questions have been answered and have an opportunity to study the question further.
- (2) That the proposed 1976-1977 Budget be changed to include \$5,000. for the Oneco Family Center, which would not increase the budget.
- (3) Full cooperation with the City of Bradenton in the construction of a Skate Board Area at the 59th Street Park.
- (4) And, that no action be taken at this time to select a name for the Golf Course and, until further notice, all printed material will read Manatee County Golf Course.

PERSONNEL: PAYROLL CHANGES

Mr McClure made motion to approve previously coordinated personnel pay roll changes (new hires, terminations, salary increases, reclassifications, miscellaneous) and that the Chairman be authorized to execute the appropriate documents. Motion was seconded by Mr. Burton and carried unanimously.

TAMPA BAY REGIONAL PLANNING COUNCIL

Westwood Fletcher advised that the Board is in receipt of a letter from Tampa Bay Regional Planning Council requesting that they be placed on the mailing list for the agendas and the minutes of all regularly scheduled Manatee County Commission meetings, and requested the authority to comply with the request.

Mr Dierks made motion that Mr Fletcher be authorized to comply with the request at a charge of \$1.00 per page, plus postage. Motion was seconded by Mr Hutches and carried unanimously.

COUNTY PARKING LOT

Mr Fletcher also advised that there is a problem with illegal parking in the vicinity of the Sheriff's Warehouse (County lot at the corner of 6th Avenue and 11th Street West), despite the signs that are posted. He requested the authority to have the Highway Department prepare additional signs for the north side of the Warehouse and asked for confirmation of the tow-away authority. After a brief discussion, Mr Fletcher and Mr Dierks were instructed to handle the situation.

(Mr Dierks was excused from the meeting)

PERSONNEL: LOSS CONTROL ENGINEER & INSURANCE SPECIALIST

Mr Burton made motion, seconded by Mr Hutches, and carried unanimously, that Westwood Fletcher be authorized to advertise in the Tampa Tribune, St Petersburg Times, Sarasota Herald Tribune and the Bradenton Herald for a Loss Control Engineer and Insurance Specialist. Motion was amended to include radio stations. (Mr Dierks was not present)

HOUSEMOVING PERMIT

Mr Burton made motion to approve the application of Jimmy Rogers - to move a building from 3312 12th Street, East Bradenton to 9912 25th Street East, Palmetto Pre-moving No. 7859 - Mover, R.E. Johnson.

Motion was seconded by Mr Hutches and carried unanimously. (Mr Dierks was not present)

ARTIFICIAL FISHING REEF: PUBLIC NOTICE

Mr McClure made motion to authorize the publication of a public notice that the Department of Environmental Regulations will receive written objections in connection with the creation of four artificial fishing reefs west of Anna Maria Key in the Gulf of Mexico. Motion was seconded by Mr Hutches and carried unanimously. (Mr Dierks was not present)

CONSTRUCTION TRUST FUNDS

Mr McClure made motion, seconded by Mr Burton, to adopt the resolution authorizing the payment of

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 B-81

Bill Roberts, Inc \$317.50

Motion carried unanimously. (Mr Dierks was not present)

RESOLUTION RECORDED 226-261

Mr McClure made motion, seconded by Mr Hutches, to adopt the resolution authorizing the payment of

SEWER SYSTEM CONSTRUCTION TRUST FUND
 Requisition No. 24.4 B-177

Wyman Plumbing, Inc \$76.05

Motion carried unanimously. (Mr Dierks was not present)

RESOLUTION RECORDED Z26-262

Mr McClure made motion, seconded by Mr Hutches, to adopt the resolution authorizing payment of

SPECIAL CONSTRUCTION ACCOUNT
 Requisition No. 5

Russell & Axon \$30,691.75

Motion carried unanimously. (Mr Dierks was not present)

RESOLUTION RECORDED Z26-263

STATE ROAD NO. 684 - MCUS PERMIT

Mr Hutches made motion to adopt the resolution authorizing the execution of an 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 684, Section 13040. Motion was seconded by Mr McClure and carried unanimously. (Mr Dierks was not present)

RESOLUTION RECORDED Z26-264

EASEMENTS: MCUS

Mr McClure made motion, seconded by Mr Hutches, to accept for recording the easements for Manatee County Utilities System, granted by

- (1) Harold S. Sutton (Trustee)
- (2) Robert M. and Gloria Sherman

Motion carried unanimously. (Mr Dierks was not present)

201 FACILITY PLAN: NORTH MANATEE COUNTY

Mr Burton made motion that the Chairman be authorized to execute the Advance Notification for the North Manatee County 201 Facilities Plan for submission to the State Department of Environmental Regulation. Motion was seconded by Mr McClure and carried unanimously. (Mr Dierks was not present)

WELFARE DEPARTMENT: DISASTER RELIEF

Mr Fay reported that, at the Board's instruction, he had examined the form contracts between the Welfare Department and various retail stores relating to the disbursement of goods for disaster relief. He stated that the contract should be with the Civil Defense Office, the local disaster agency, and that the contract has no control of goods. After a brief discussion, Mr Fay advised that a work session would be scheduled to further discuss the matter.

DOUBLE TAXATION - LAWSUIT

Mr Fay gave a status report on the Double Taxation Suit; stating that the attorneys representing the three cities involved had written letters offering a settlement. He explained that the offers were basically that (1) the County create a special tax district for the unincorporated areas and to raise an additional \$900,000 more in that district than raised in the cities; (2) a budget be prepared and records be kept showing how expenditures are spent for the incorporated and unincorporated areas; (3) and that an effort be made to try to eliminate double taxation. Mr Fay stated that he was unable to make a recommendation at this time. A written recommendation would be submitted to the Board during the week.

BUDGET AMENDMENTS

Mr McClure made motion, seconded by Mr Hutches, and carried unanimously, to adopt resolutions authorizing the transfer of funds within the following budgets: (Mr Dierks was not present)

(1) Line Items

From: Bus	\$51,595.00
To : Transfer to Bus Grant Fund	\$51,595.00

RESOLUTION RECORDED Z26-265

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Cont'd

<u>(2) Probation</u>			
From:	Office Supply	\$100.00	
To :	Salaries	\$100.00	
			RESOLUTION RECORDED Z26-266
<u>(3) Library I & S</u>			
From:	Reserve for Contingencies	\$ 7.25	
	Interest Payments	87.50	
	Total		\$94.75
To :	Expenses		\$94.75
			RESOLUTION RECORDED Z26-267
<u>(4) Planning and Development</u>			
From:	Communications	\$424.00	
To :	Maintenance of Equipment	\$424.00	
			RESOLUTION RECORDED Z26-268
<u>(5) Planning & Development</u>			
From:	Commission Fees	\$700.00	
To :	Maintenance of Equipment	\$700.00	
			RESOLUTION RECORDED Z26-269

BONDS

Mr Burton made motion, seconded by Mr McClure, and carried unanimously, to approve the following bonds: (Mr Dierks was not present)

Sheriff's Department

Public Employees Blanket Bond - Auto Owners Ins Co Bond No.
767-012-20210325

Add:

✓ LORENZIA McNEIL - Regular Posseman
✓ DONALD C. WHALEN - Regular Posseman

Moving & Alteration of Building Bond - Auto Owners Ins Co \$1,500.00

Ronald Durrance

Pre-Moving No. 7238 - Mover, Rowe Meade

Performance Bond - American Fire & Casualty \$15,510.00

Lambeth Acres Subdivision

Driveway Permit Bond - Cash Bond & Money Order \$100.00

Howard Brower - Permit No. 2251

WARRANT LISTS & REQUISITIONS

Mr Burton made motion to approve Warrant Lists and Requisitions from September 14, to September 21, 1976, and to authorize Warrant Lists to September 28, 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 McClure and carried unanimously. (Mr Dierks was not present)

BILLS FOR PAYMENT

Mr McClure made motion, seconded by Mr Burton, to approve the following bills for payment:

William M. Monette (accounting services)	\$1,075.62
Bradenton Insurance Co. (bus insurance)	170.00
Gladys Pitrone (refund, driveway permit)	150.00
C.H. Wooten Ins Agency (bond, medical exam.)	45.00

Motion carried unanimously. (Mr Dierks was not present)

ELECTIONS: SAMPLE BALLOT - SECOND PRIMARY

Mr McClure made motion, seconded by Mr Burton, to authorize the publication of the Sample Ballot for the Second Primary Election to be held Tuesday, September 28, 1976. Motion carried unanimously. (Mr Dierks was not present)

MENTAL HEALTH DISTRICT BOARD: HILLSBOROUGH-MANATEE AREA

Mr Fortson read a letter from Peter Kreis, Department of Health and Rehabilitative Services, regarding the establishment of Mental Health

District Boards and appointment of members; stating that for the Manatee-Hillsborough area, a single board will be established for operation by January 1, 1977, phasing out Mental Health District Board No. 14 (Pasco Hernando and Hillsborough Counties) and Mental Health District Board No. 16 (Manatee County), and to implement this, proposed the establishment of a committee, composed of representatives from the existing boards and local mental health associations to assist in working out the necessary steps toward organization of the new board; and requested the designation of a commissioner to work with the committee. The Chairman appointed Mr McClure as the Board's representative to work with this committee. (Mr Dierks was not present)

GEOLOGICAL SURVEY (MANATEE RIVER)

A letter was read from the Department of Interior regarding a Cooperative Agreement between the County and the U.S. Geological Survey, covering a period from September 1, 1976 to September 30, 1977, for a hydrological survey of the Manatee River. Following a brief discussion, the matter was deferred. (Mr Dierks was not present)

TRANSIT: FREE PASSES - LEGALLY BLIND

Upon suggestion by Mr McClure, the County Attorney was instructed to draft a resolution authorizing free passes on the Transit System for the legally blind. (Mr Dierks was not present)

ELECTIONS: COMPENSATION - OFFICIALS

After discussion, no action was taken with regard to compensation of Election Officials, pending a recommendation from the Supervisor of Elections. (Mr Dierks was not present)

HUMAN RESOURCES: STATE EMPLOYMENT SERVICE

Mr McClure made a motion that the Chairman be authorized to execute the CETA Reciprocity Agreement (non-financial) with the Florida State Employment Service, for the period October 1, 1976, to September 30, 1977, to formalize the existing system of coordination. Motion was seconded by Mr Burton and carried unanimously. (Mr Dierks was not present)

AGREEMENT RECORDED 226-270

HUMAN RESOURCES: BRADENTON YACHT CLUB; GULF COMMUNICATIONS

Mr McClure made motion to approve, ratify and confirm the approval of the Director of the Department of Human Resources for

On the Job Training Voucher #V-54 - dated September 16, 1976

for the Bradenton Yacht Club to train one chef, for the period September 16, 1976 to September 16, 1977, in the amount of \$2,288. And,

On the Job Training Voucher #V-55 - dated September 13, 1976 - for Gulf Communications & Electronics, Inc to train one electronic technician, for the period September 13, 1976 to September 13, 1977, in the amount of \$2,912.

Motion was seconded by Mr Burton and carried unanimously. (Mr Dierks was not present)

AGREEMENT RECORDED

(Mr Dierks returned to the meeting)

(1) S-6-1
(2) S-6-2

HUMAN RESOURCES, DEPARTMENT OF - PUBLIC SERVICE EMPLOYMENT PROGRAM

Regis Chapman, Director, Department of Human Resources, in response to questions of the Board during the budget hearings, gave a summary regarding the Public Service Employment Programs for the 1977 fiscal year and advised that the recommended level of positions, based upon available funds through January 31, 1977, is 250 positions.

INSURANCE DEPARTMENT

Upon question from Mr Bourne, Mr Fletcher advised that Martin Williams will continue to function in the Insurance capacity until a new Insurance Director is employed.

WARRANT LISTS: AUGUST, 1976

General Revenue	31417 - 31452
Clearing Account	24956 - 26118
Road & Bridge	12159 - 12168

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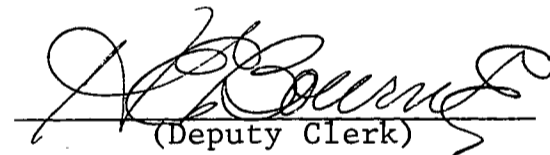
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Library Operation	896 -	903
Library Capital Outlay	none	
Courthouse I and S	87	
Courthouse I and S Reserve	none	
Hospital I and S	149 -	150
SCORE	836 -	842
Talking Books	2281 -	2286
Federal Revenue Sharing	2547 -	2553
Library Construction	948 -	953
Historical Commission	691 -	693
CETA III	2701 -	2704
CETA VI	2481 -	2489
CETA I	2656 -	2663
Manpower	2618 -	2624
CETA II	1186 -	1189
Manatee County Utilities System:		
24.4 Revenue	0246 -	0249
13.5 Revenue	4801 -	4837
3.485 Revenue	5311 -	5323
1.65 Revenue	1293 -	1302
General Control	1697 -	1881
24.4 R & R	123	
13.5 R & R	197	
3.485 R & R	172	
24.4 Water Surplus	3	
1.65 R & R	171	

MEETING ADJOURNED

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

Attest: M.T. McInnis, Clerk


(Deputy Clerk)

APPROVED:

11/2-1/76

(Chairman)

11/2