

NOVEMBER 2, 1976

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, November 2, 1976 at 9:05 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 E. N. Fay, Jr., County Attorney
Henry E. Bourne, Deputy Clerk
(Entered during meeting)

The meeting was called to order by Chairman Fortson.

ZONING

Recommendations of the Planning Commission were presented by Jerry West, Acting Director.

R-789 CREEKWOOD INVESTORS, LTD. APPROVED T-1
SE-947 (Lane L. Marshall, agent) - Request to change present zoning from -S- (General Agricultural) to T-1 (Mobilehome Park) District or to such other district as determined to be more appropriate; also O.P.U.G. review, for Mobilehome Park on 178.2 acres located north of SR 70 and east of proposed I-75. No recommendation from Planning Commission.

Motion was made by Mr. Hutches to approve R-789 to rezone to T-1 District and to approve SE-947 for Creekwood Investors, Ltc. to permit development and operation of an 18-hole golf course and club house facility and to adopt the appropriate resolutions. ZONING

✓RESOLUTION RECORDED R-789
SE-947 CREEKWOOD INVESTORS, LTD. APPROVED
(R-789) Request for Special Exception to permit development and operation of 18-hole regulation golf course and club house facility on 105.09 acres located north of SR 70 and east of proposed I-75. (No recommendation from Planning Commission. ZONING

✓RESOLUTION RECORDED SE-947
Motion was seconded by Mr. McClure and carried unanimously.

R-791 DOUGLAS M. DAMRON, ET UX C-1 APPROVED
(SE-949) Request to change present zoning from -A- (General Agriculture) to C-1 (Commercial District or to such other district as determined to be more appropriate for gasoline pumps in conjunction with existing grocery store on 3.35 acres located 3007 49th Street E., Palmetto. The Planning Commission recommended approval.

SE-949 DOUGLAS M. DAMRON ET UX APPROVED
(R-791) Request for Special Exception to permit three (3) gasoline pumps in conjunction with existing grocery store on .3 acres located 3007 49th Street E., Palmetto. The Planning Commission recommended approval with stipulation that petitioners pave the area that will be subject to vehicle traffic or parking.

Motion was made by Mr. Burton to approve R-791 to C-1 District and to approve SE-949 for Douglas M. Damron Et Ux and to adopt the appropriate resolutions as recommended by the Planning Commission. Motion was seconded by Mr. Hutches and carried unanimously. ZONING

✓RESOLUTION RECORDED R-791
✓RESOLUTION RECORDED SE-949

(Enter Mr. Bourne)

SE-948 NICHOLSON SCHOOLS, INC. APPROVED
 (SE-352) (Scott Nicholson, agent) Request for Special Exception to permit expansion of SE-352 to include property located to the south (105'x 420' in size) for use in conjunction with the operation of a private school facility, located on 1 acre (R-1AA) at 3708 32nd Street. The Planning Commission recommended approval.

Motion was made by Mr. McClure to approve SE-948 for Nicholson Schools, Inc., and to adopt the appropriate Resolution. Motion was seconded by Mr. Burton and carried unanimously.

RESOLUTION RECORDED ZONING SE-948

SE-950 JANET B. TIHOR APPROVED
 (J. Edw. Weber, agent) Request for Special Exception to permit package liquor store and restaurant with lounge on 2.11 acres at 6908 Manatee Avenue West. The Planning Commission recommended approval with stipulations
 (1) plan for maintaining existing major drainage canal on east side of petitioner's property;
 (2) Comply with Off Street Parking and Landscaping Ordinance and in addition provide hedge along east side of parking lot and a tree every 40 feet (prior to occupancy of lounge) to add buffering for Carmel Apartments from lights and noise.

Mrs. Tihor was present with her attorney, Joe Dallanegra, and her son-in-law, Ronald Sautarlas, who would be managing the business. Mr. Sautarlas explained that only fifteen parking spaces were required for the package store and they were providing twenty-five spaces at this time. He said there would be three phases - 1st, the package store, 2nd, the lounge and 3rd, the restaurant.

Motion was made by Mr. Dierks to approve SE-950 for Janet Tihor as recommended by the Planning Commission and to adopt the appropriate Resolution. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED ZONING SE-950

SE-958 WILLIAM VICKERS, ET UX APPROVED
 (Florida Power & Light Company, agent) - Request for electric substation and service center (work base) on 13.45 acres m/1 (R-1) south of 49th St. E. (Experimental Farm Road) and approximately 1/4 mile east of U.S. 41 (Bayshore Road). The Planning Commission recommended approval with five-year waiver for construction.

Al Putnam, representing Florida Power and Light Company, explained that this was exchange of property for a power line.

Motion was made by Mr. McClure to approve SE-958 for William Vickers with a five-year waiver as recommended by the Planning Commission and that the appropriate Resolution be adopted. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED ZONING SE-958

SE-960 LAVERNE MEDOR APPROVED
 (Lloyd Lyday, agent) - Request for Special Exception to permit service, sales and rebuilding of automobile transmissions on .3 acre (C-1) at 5127 14th Street W. The Planning Commission recommended approval.

Motion was made by Mr. Dierks to approve SE-960 and adopt the appropriate Resolution. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED ZONING SE-960

Z-103 AMENDMENT TO ZONING ORDINANCE ADOPTED

The Planning Commission recommended amendment to Section VIII of the Manatee County Zoning Ordinance to require signs to be posted on parcels of land on which applications for rezone or special exceptions are filed.

Mr. Dierks moved for the approval of Z-103 and adoption of the appropriate Resolution Amending the Manatee County Zoning Ordinance, Section VIII, as recommended by Mr. Planning Commission, with effective date of January 1, 1977. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED ZONING
Z-103

Z-104 AMENDMENT TO ZONING ORDINANCE ADOPTED

The Planning Commission recommended amendment to Sections V and VI of the Manatee County Zoning Ordinance which would permit funeral homes in Manatee County to operate a crematorium as they are authorized to do under Chapter 470, Florida Statutes.

Mr. Hutches moved for the approval of Z-104 and adoption of the appropriate Resolution amending the Manatee County Zoning Ordinance, Sections V and VI, as recommended by the Planning Commission. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED ZONING
Z-104

76-T-1/3(F) COLONY COVE MOBILEHOME PARK, PHASE IV (DEFERRED)

(Dan Zoller, agent) The Planning Commission recommended approval of final plan for 69 mobilehome lots on 11.8 acres located bordered on west by Colony Cove, Phase II, and approx. 660 ft. south of U.S. 301 (Ellenton).

Ralph Nelson was present, representing the developer. The Board heard plans for quadruplex (motel) on Lots 2 through 17, convenience center on the canal, barber shop and beauty shop (restricted to residents of the park, 17 docks on the canal.

There were no objections to request by Mr. Burton to defer action on this matter for one week.

76-S-15(P) CIMARRON ACRES DEFERRED

(Eric Robertson, agent) The Planning Commission recommended approval of the preliminary plat of the single family subdivision (26 lots) on 20 acres located bordered on the south by 9th Street N.W. and on the west by 75th Street N.W. (former Chartwell development).

Bill Swan outlined the stipulations that would require a bike and pedestrian path to line up with Hensonville on Lots 7 and 8 through Lots 19 and 20 on to 9th Avenue W. Herman White, with the Highway Department, explained that the easement would serve as an emergency vehicle right of way in the event other avenues are closed.

Members of the Board objected to a bike path inside a subdivision and favored location on a public thoroughfare. There were no objections to deferring action for one week, with the matter being referred back to Jerry West for discussion of the Board's views with the petitioner.

P.U.D. -4(F) FISHERMAN'S COVE, INC. (Mt. Vernon Condominium Development (Revision) APPROVED

(Gilbert Waters, agent)

The Planning Commission recommended approval of revision of final plans for Phase 1B (11.4 acres located 94th Street and Cortez Road).

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Robert Boylston, attorney representing the petitioner, advised that it was necessary to make certain changes in the plan to abide by flood zone requirements. Gilbert Waters outlined the changes in the plans.

Mr. Hutches made a motion to approve P.U.D. -4 Fisherman's Cove, Inc., Phase 1B (Revised) and to adopt the appropriate Resolution. Motion was seconded by Mr. McClure and carried unanimously. ZONING
PUD-4

RESOLUTION RECORDED

D.R.I. -6

P.U.D. -6 HARBOR VENTURES, INC. EXTENSION APPROVED

(Dewey Dye, Jr., agent/attorney) Request one year extension from date of approval of the Preliminary Development Plan by the County Commission within which to complete preparation of and submit Final Development Plan for first stage of the proposed development. Location: Borders on north by proposed 53rd Ave. W. extension and approx. 1320 ft. west of 34th St. W., Bradenton.

The Planning Commission recommended approval.

Mr. Dierks made a motion to approve a one year extension of time in which to submit final development plan for first stage of P.U.D.-6 development and to adopt the appropriate Resolution. Motion was seconded by Mr. McClure and carried unanimously. ZONING
PUD-6

RESOLUTION RECORDED

For the record, motion was made by Mr. McClure that all motions to approve zoning items include the adoption of the appropriate Resolutions. Motion was seconded by Mr. Burton and carried unanimously.

T-1-86(F) (REVISED) CASA ONECO MOBILEHOME SUBDIVISION

Mr. Dierks made a motion to adopt a Resolution approving final plat for T-1-86(F), CASA ONECO MOBILEHOME SUBDIVISION for the purpose of removing stipulation that no septic tanks be permitted in said subdivision. Motion was seconded by Mr. Hutches and carried unanimously. ZONING
SUB.

RESOLUTION RECORDED

ZONING APPEAL BOARD: FEE WAIVED - SMITH

In recommending approval of request by George Smith for a waiver of the filing fee for application to the Board of Zoning Appeals, Jerry West explained that Mr. Smith had purchased two lots after obtaining a letter from the Planning Department stating that he could build on both lots. He built on one lot and later found that the letter was in error so he is going before the Appeals Board for permission to build on the second lot. Since he acted on a letter from the Planning Department, a waiver of the subject fee was justified.

Motion was made by Mr. McClure that the filing fee before the Board of Zoning Appeals be waived for George Smith. Motion was seconded by Mr. Burton and carried unanimously.

FLOOD INSURANCE: LITIGATION COALITION

Mr. West read a letter from Robert G. Brown, Chief of Inspection Services, (dated October 27, 1976), which was in response to request by the Board of County Commissioners that the Manatee County Construction Codes Board of Appeals submit recommendation regarding Flood Insurance Litigation Coalition. (Re: Manatee County becoming a party in the filing of a Constitutional challenge against the Flood Disaster Protection Act of 1973.) It was recommended that the County approve participation in the Coalition and allocate a minimum of \$1,000 to support the Litigation. DEFERRED for discussion in work session the following Monday.

RECESS

After a short recess the Board reconvened with all members present.

LOT CLEARING

The Chairman declared public hearing opened for the purpose of considering petition

LC-1068 Marcella Lisch =alleging that certain land owned by MS. LENORA COOKSEY had not been cleared in accordance with requirements of Section 2 of Chapter 69-1284, Laws of Florida, Special Acts of 1969.

Homer Stevens, Enforcement Division of the Planning Department, submitted pictures of the subject property and recommended that the lot be mowed. There was no representative of the complainant or the property owner present.

Public hearing was closed. Mr. McClure moved for the adoption of a Resolution determining that the property owner had failed to comply with the lot clearing law and demanding that said property owner take corrective action with regard to said land providing it has been six months since it was last mowed. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED S-1-62

The Chairman declared public hearing opened for the purpose of considering petition

LC-1080 Catherine L. Tamburino (McGuire) =alleging that certain land owned by FRANK V. ARPAIA had not been cleared in accordance with requirements of Section 2 of Chapter 69-1284, Laws of Florida, Special Acts of 1969.

Mr. Stevens submitted pictures of the subject property and recommended that the lots be mowed. There was no representative of the complainant or the property owner present.

Public Hearing was closed. Mr. McClure moved for the adoption of a Resolution determining that the property owner had failed to comply with the lot clearing law and demanding that said property owner take corrective action with regard to said land providing it has been six months since it was last mowed. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED S-1-63

AGRICULTURAL CENTER: HARLLEE BUILDING - BIDS ON ROOFING

Sealed bids received on re-roofing the Harllee Building, Agricultural Center, Palmetto, Florida, were opened and read as follows:

<u>FLORIDA HORIZONS</u>	\$9,117.00
Alternate: Add for 20-year specification roof in lieu of 15-year:	\$780.00
MANASOTA INDUSTRIES, INC., d/b/a FRANK GREEN ROOFING	8,650.00
Alternate: \$749.00 (add)	

The bids were referred to the appropriate committee and the Purchasing Director for review and recommendation.

POLLUTION CONTROL VIOLATION (CARSON)

Jack Carson, 1124 - 58th Avenue W., owner and operator of a sandblasting business, "Mobile Welding", stated that he was not notified of action by the Pollution Control Board citing him for violation of the Pollution Control code by creating a dust problem and objected to tactics by presenting a case without his knowledge. He said he had been in business at this location for twenty-five years - before zoning and before Pollution Control Code, etc., and had tried to buy property from the developers of the mobilehome subdivision to provide a buffer.

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Mrs. Carson said that there was much dust from the unpaved road as from their business.

During discussion it was suggested that perhaps the problem could be worked out between the attorney for the Pollution Control Board and Mr. Carson's attorney and that Mr. Carson be invited to attend the Pollution Control Board meeting.

Mr. Randle pointed out that Mr. Carson had been served with legal notices as to violation and that he had a right to appeal to this Board. The residents of two mobilehome parks complained about the dust problem. The mistake was to allow mobilehome parks to move next to existing operations that are not compatible to retirement living.

COUNTY ROADS ACCEPTED

Robert Moon submitted affidavits and highway maps of certain streets and recommended that they be accepted and recorded as county roads by right of maintenance under Florida Statute 95.361.

HARLLEE ROAD

Motion was made by Mr. McClure to accept Harllee Road as a county maintained road as recommended by Mr. Moon. Motion was seconded by Mr. Dierks and carried unanimously.

ARMSTRONG ROAD

Motion was made by Mr. McClure to accept ARMSTRONG ROAD as a county maintained road as recommended by Mr. Moon. Motion was seconded by Mr. Dierks and carried unanimously.

MEADOWCROFT SUBDIVISION: PLAT APPROVED

Motion was made by Mr. McClure to approve the final plat of MEADOWCROFT SUBDIVISION. Motion was seconded by Mr. Hutches and carried unanimously.

DRAINAGE (ELLENTON) - PALMETTO FEDERAL

Motion was made by Mr. Burton to authorize the County Engineer to proceed with installation of pipe (and filling) in a drainage ditch in Ellenton along the west property line of Palmetto Federal Savings and Loan Association providing the property owner will furnish the pipe (180 feet of 54" RCP Class III in the sum of \$5,058.00). Motion was seconded by Mr. McClure and carried unanimously.

REX ROAD: BUILDING PERMIT TO SURRETT

Dewey A. Dye, Jr., attorney, appeared for Mr. and Mrs. Nelson Surret to request approval of a private easement known as "REX ROAD" for the purpose of obtaining a building permit on a 14-acre parcel on this road. He said the 50-foot right of way was granted by Sam Cornwall when the property was divided several years ago; that this is not a county road and is maintained by the people living on the road. In recent years permits have been issued for mobilehomes and for single family dwellings along the roadway.

Mr. Hutches made a motion to instruct the Building Department to issue a building permit for this particular piece of property on the condition that it is not speculative (it is going to be the residence of Mr. and Mrs. Nelson Surett) and if they agree to having their property assessed in the event it ever becomes necessary to build a county road; also, that the County Attorney will prepare the appropriate documents. Motion was seconded by Mr. McClure and carried unanimously.

LONGBOAT PASS DREDGING

Upon question, Mr. Dye advised that he had been authorized by the West Coast Inland Navigation District to obtain an Attorney General's opinion that the District can assume the primary obligation of local sponsor for financial participation of the County in connection with contract on dredging Longboat Pass.

Mr. McClure offered the services of the County Right-of-Way Agent to assist in preparation of the necessary documents for spoil areas required by the Corps of Engineers. There were no objections.

SEWER PROJECT: PART F, SECTION 3 - CONTRACT (COLE)

Motion was made by Mr. Hutches that the appropriate county officers be authorized to execute contract with SCOTT COLE MECHANICAL CONSTRUCTION COMPANY on Sewerage Project, Part F, Section III, in the amount of \$1,974,127.35. Motion was seconded by Mr. Burton and carried unanimously.

CHANGE ORDER NO. 1

Motion was made by Mr. Hutches to approve and authorize execution of CHANGE ORDER NO. 1 to Contract with Scott Cole Mechanical Construction Company

Sanitary Sewerage Project No. 6681-6

Part F, Section III (Gravity Sewers and Force Mains)

To correct typographical and drafting errors only;
no change in contract price.

Motion was seconded by Mr. Dierks and carried unanimously.

CHANGE ORDER NO. 2

Motion was made by Mr. Hutches to approve and authorize execution of CHANGE ORDER NO. 2 to Contract with Scott Cole Mechanical Construction Company

Sanitary Sewerage Project No. 6681-6

*Part F, Section III - to delete certain items from the original contract, decreasing by the amount of \$499,130.80.

Motion was seconded by Mr. McClure and carried unanimously.

SEWER PROJECT: PART B, SECTION IV (CLAYTON) - FINAL

Herb Hayes submitted final documents on Sanitary Sewerage Project No. 6681-8b, Section IV of Part B: Final Change Order No. 7, Reconciliation Agreement, final estimate \$61,734.38, payable to CLAYTON CONSTRUCTION COMPANY, and related final documents.

Motion was made by Mr. Hutches that the Chairman be authorized to execute the final documents on Part B, Section IV as presented. Motion was seconded by Mr. McClure and carried unanimously.

SEWER PROJECT: PART F, SECTIONS I, II, III, IV & V
ENGINEERING SERVICES

By letter dated November 2, 1976, Mr. Hayes outlined the items of engineering services to be provided by Russell & Axon on construction of Sanitary Serage Project, Part "F", Sections I, II, III, IV and V, requested by the Director of Manatee County Utilities System.

Motion by Mr. Hutches to authorize the Consulting Engineers to perform these services for compensation based on salary cost times a multiplier (recommended by Florida Institute of Consulting Engineers), plus out of pocket expenses for travel, etc., was withdrawn in favor of deferring action until the next regular meeting of the Board.

TRANSIT DEPARTMENT

Phil Davis advised that on October 26th this Board had passed a motion entering into a joint participation agreement with Florida Department of Transportation /Division of Mass Transit Operations that would provide Manatee County with ten percent of the local share of putting up the maintenance/administration facility, but failed to pass a Resolution authorizing the chairman to execute this agreement.

*Herb Hayes provided written justification for the deductive change orders, noting that the Owner reserves the right to make such adjustments in order to bring the Contract price within the money budgeted.

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AGREEMENT: ADMIN./MAINT. FACILITY (DOT)

Motion was made by Mr. McClure that the appropriate Resolution be prepared, authorizing the Chairman to execute Amendment to the Joint Participation Agreement (No. VI-185509) on additional funds for the Bus Administration/Maintenance facility. Motion was seconded by Mr. Hutches and carried unanimously.

BIDS ON EQUIPMENT

Motion was made by Mr. McClure that Phil Davis be authorized to advertise for bids to be received on permanently installed equipment in the maintenance/office facility (Bus Transit). Motion was seconded by Mr. Hutches and carried unanimously.

AIR COMPRESSOR; BID ACCEPTED

Motion was made by Mr. McClure to accept the low bid on a portable air compressor for the Transit Department (October 26, 1976) which was submitted by TERRY SUPPLY COMPANY, in the amount of \$1061.00 as recommended by Phil Davis. Motion was seconded by Mr. Burton and carried unanimously.

BUS SERVICE: VETERANS DAY

Based on survey by the Transit Department to determine what businesses and service facilities would be operating on November 11, 1976, Mr. Davis recommended that bus service be operated for the public on that county-observed holiday.

Mr. Dierks made a motion that Veterans Day, November 11, be considered a holiday and that the buses not be in operation. Motion was seconded by Mr. Burton. During discussion it was pointed out that most businesses will be open and it would be advantageous to have bus service for the public. Motion was withdrawn.

Mr. McClure made a motion that the buses operate on November 11, 1976 and over time be paid if necessary. Motion was seconded by Mr. Hutches and carried unanimously.

SOCIAL SECURITY OFFICE

Upon request by Al Grossman for a better schedule for transportation for elderly people to the Social Security office (22nd Avenue West), Mr. McClure asked Mr. Davis to look into this possibility.

HUMAN RESOURCES, DEPARTMENT OF

Regis Chapman submitted and requested approval of four On-The-Job Training Contracts and one change of Public Service Employment position.

ON-THE-JOB TRAINING CONTRACTS

Mr. Hutches made a motion to approve and authorize execution of On-The Job Training Contract Vouchers as follows:

- 1) V-71 with LIMETREE INN OF SARASOTA to train one Hotel/Motel Manager - contract amount \$1,968.00; CONTRACT RECORDED S-6
- 2) V-80 with HIDDEN HARBOR MARINE, INC., OF PALMETTO to train one Outside Machinist/Shipwright Apprentice - contract amount \$1,548.00 CONTRACT RECORDED S-6
- 3) V-81 with ALZAC HANDCRAFTED JEWELRY to train a Jeweler - contract amount \$1,600.00 CONTRACT RECORDED S-6
- 4) V-74 with JOYNER FRANKLIN PRESS to train a Printer/Pressman - contract amount \$2,080.00 CONTRACT RECORDED S-6

Motion was seconded by Mr. McClure and carried unanimously.

PUBLIC SERVICE EMPLOYMENT

Motion was made by Mr. McClure to approve change of Public Service Employment Position No. 7/7-37 at the Manatee County Highway Department from a Maintenance Technician III at \$3.55 per hour to a Maintenance Technician I at \$2.82 per hour. Motion was seconded by Mr. Dierks and carried unanimously.

HUMAN RESOURCES, DEPARTMENT OF
CETA PROGRAMS: 3-COUNTY CONSORTIUM

Mr. Chapman recommended that the Chairman be authorized to communicate with the Boards of County Commissioners of Charlotte and Sarasota Counties to explore the possibility of forming a three-county Consortium for operating CETA programs, and noted the advantages of such a program, including up to ten percent in additional funding. Mr. McClure suggested that Mr. Chapman draft a letter for the Chairman's signature giving him a letter of introduction to communicate with the officials of these counties and come back for any progress reports or future recommendations regarding this matter. There were no objections.

RECESS

The Board recessed until 1:30 P.M.

1:30 P.M.

The Board reconvened at 1:45 P.M., November 2nd, 1976. Members present were Dan P. McClure, Vice Chairman, Commissioners Ken Burton and Kenneth D. Dierks. Chairman L. H. Fortson, Jr., and Commissioner Robert C. Hutches were not present. (Mr. Fortson entered during meeting.)

The meeting was reconvened with Vice Chairman McClure presiding.

(See page 324 for motion inadvertently omitted here.)

ANIMAL CONTROL: FEES

By letter dated November 1, 1976, Coleen Foster, Chairwoman, Health Committee of the Local Government Study Commission, recommended requiring fees for adopting animals from the County Dog Pound and increasing annual licensing fee/rabies inoculation.

William Gardiner, acting animal control officer, recommended consulting the Veterinarians organization before taking any action. The matter was deferred for further discussion in work session the following Monday.

SOUTH COUNTY LIBRARY: PLANS; INSPECTOR

Phillip Place presented preliminary plans for addition and remodeling South County Library for which application was being made for Public Works Grant.

(Enter Chairman Fortson.)

Mr. McClure made a motion to ratify the action of the County Library Board and approve the plans for the South County Library. Motion was seconded by Mr. Dierks and carried unanimously.

Mr. Place advised that title certification was being researched, and another requirement was that an inspector for the construction and other work, who is not a representative of the architect, be appointed and his name submitted as a part of the application.

Motion was made by Mr. McClure that the name of Bob Brown be submitted as the county's overseer and inspector on this project. Motion was seconded by Mr. Burton and carried unanimously.

CABLE TELEVISION: RATES (TELEPROMPTER)

Westwood Fletcher advised that numerous calls had been received from residents of mobilehome parks concerning notice by Teleprompter, Inc., of change in payments (internal policy by that firm) from reduced annual rates formerly paid by such residents to an amount paid by other cable television users. This would more than double their rates.

Upon recommendation by Mr. Dierks to hold a public hearing on the increase in rates, the County Attorney pointed out that the Board has option (1) to wait five years to review the rate (as per franchise)

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or (2) give notice of public hearing after sixty days and make them present testimony and facts to justify the reasonableness of their rates. It would be necessary, however, to obtain a copy of the letter from Teleprompter, and determination made if this actually a rate increase.

PERSONNEL: ADJUSTMENT OF MANNING LEVELS

Mr. McClure moved for the adoption of a RESOLUTION ESTABLISHING AUTHORIZED MANNING LEVELS, BY JOB CLASSIFICATION, FOR THE DEPARTMENTS UNDER THE DIRECTOR SUPERVISION OF THE BOARD OF COUNTY COMMISSIONERS, amending manning levels for (1) Right of Way Department; (2) Highway and Engineering Department; (3) Library Department and (3) Probation Department. Motion was seconded by Mr. Burton and carried unanimously. Upon question by the Deputy Clerk if funds are available to cover these increased manning levels, Mr. Fletcher stated that this does not change any salaries.

RESOLUTION RECORDED (S-5)

PERSONNEL: PAYROLLS

Mr. Fletcher requested approval of previously coordinated personnel action and authorization for the Chairman to sign the appropriate documents with the following additions:

New Hires

Thomas J. Hampton, driver, CETA II (H & E)	2.82
Earnest Fields, Jr., Gr/kpr, CETA II (P&R)	2.69
Ronald M. Lavoie, Gr/kpr., CETA II	2.69
Judith Brenholtz, Agriculture	2.82
Kenneth D. Henderson, Probation	4.57

Reclassifications

Darnell Stokes, from CETA to regular (H&E)
Regena M. Gibbs, from CETA to regular (Prob.)

Terminations

Roy C. Burchett (H&E)
Wilma English (Boys Club)

Travel

William W. Swann - To Lake Placid

Motion was made by Mr. Hutches to authorize the Chairman to sign the documents for New Hires, Job Reclassifications, terminations and Travel Authorizations as submitted. Motion was seconded by Mr. McClure and carried unanimously.

TITLE II - PUBLIC WORKS PROGRAM

Don Shepherd, Grants Coordinator, advised that the U. S. Department of Commerce had given notice that Manatee County qualifies for designation as an economic redevelopment or development district if, within a reasonable time, written request is made and appropriate action is taken by this Board to have an economic planning for the county incorporated in an overall economic development program which is acceptable by the Economic Development Administration Regional Office serving this state. He requested that the Chairman be authorized to sign the letter accepting the designation.

He said the funding element, in accordance with Title II of the Public Works Employment Act of 1976, stipulation is for operational ongoing costs. "Operational" is considered salaries, administrative expense and costs (any ongoing or active program other than capital expenditures). He explained that the Public Works Act of 1976 is divided into three categories: TITLE I is for capital expenditures; TITLE II is for operational expenditures; TITLE III is for wastewater treatment, sewerage and water, administered through the Environmental Protection Agency.

He further advised that telephone communications from the Treasury Department (Mrs. Pat Schultz) indicated that Manatee County's allocation of funds, based upon the motion of this Board on October 26, 1976

has been approved and funds are going to be forwarded for the first two quarter allowances. He requested that the Board allocate ten (10) percent of these monies for the purpose of developing the overall economic development program, which is a permissible use of the money under the anti-recession clause. These funds are not to be used for construction or to acquire supplies and equipment unless necessary to continue and to provide basic services. Construction must be limited to structural repairs and renovations.

Mr. McClure made a motion that the Chairman be authorized to sign a letter accepting the designation as an Economic Development District, for the purpose(s) outlined by Mr. Shepherd. Motion was seconded by Mr. Dierks and carried unanimously.

To clarify one element and in compliance with requirement to notify Washington not later than October 28, 1976 (designation and assurances), Mr. Shepherd read into the record context of the message to the appropriate agency as follows:

"Revenue Sharing Account No. 101 041 041: This is to advise you that Manatee County, Florida, has not received the necessary assurance forms from your office as of Tuesday, October 26, 1976. The Board of County Commissioners of Manatee County passed the necessary motion to authorize the Chairman, L. H. Fortson, Jr., to sign all assurances. This motion will be executed upon receipt of your forms and returned to your office."

COMMUNITY BLOCK GRANT

In connection with the Multi-Purpose Center (Community Block Grant), the County Attorney submitted Request for Release of Funds and Certification to be signed by the Chief Executive Officer of the County, attested by the Clerk, and certified by County Attorney. Motion was made by Mr. McClure that the appropriate county officers be authorized to execute the necessary documents. Motion was seconded by Mr. Burton and carried unanimously.

PURCHASING DEPARTMENT: RE - BIDS AND PURCHASING

Motion was made by Mr. McClure to approve recommendations submitted by William S. Mullon, Director of Purchasing, as follows:

1. In that the Board no longer has to approve each Purchase Order since it has delegated that to the Director of Purchasing, the weekly purchase order listing is no longer required by the Board.
2. The Purchasing Department shall be the sole Department to place Invitation to Bid legal notice advertisements.
3. Bid openings may be held on any normal working day, at the time and place shown in the legal notice of Invitation to Bid.
3. All bid openings and tabulations shall be observed by at least one member each of the staff of the Clerk of Circuit Court; either the interested Department or the Administrative Assistant to the Board and the Purchasing Department.

Motion was seconded by Mr. Dierks and carried unanimously.

STATE ROAD NO. 789 - MCUS PERMITS

Upon motion by Mr. Hutches, seconded by Mr. McClure, Resolution was unanimously adopted authorizing execution of 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. 789, Section No. 13080.

RESOLUTION RECORDED S-1-64

NOVEMBER 2, 1976

(Cont'd)

Upon motion by Mr. Hutches, seconded by Mr. McClure, Resolution was unanimously adopted authorizing execution of 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. 789, Section No. 13080 (MP 12.014).

RESOLUTION RECORDED S-1-65

MCUS CERTIFICATE OF DEPOSIT

Upon motion by Mr. McClure, seconded by Mr. Hutches, Resolution was unanimously adopted authorizing The Island Bank to renew a one-year Certificate of Deposit in the amount of \$100,000 at 6.125 interest, \$13.5M Meter Deposit Account.

RESOLUTION RECORDED S-1-66

EASEMENT: MCUS

Motion was made by Mr. McClure to accept Utility Easement for Manatee County Utilities System from MANATEE COUNTY CHAPTER NO. 18, DISABLED AMERICAN VETERANS, INC. Motion was seconded by Mr. Hutches and carried unanimously.

PARKS & RECREATION: GOLF COURSE CLUBHOUSE.

CONTRACT: DeLESLINE CONSTRUCTION, INC.

Motion was made by Mr. McClure that the appropriate county officers be authorized to execute contract between The County of Manatee and DeLESLINE CONSTRUCTION, INC. for construction of the Manatee County Golf Course Clubhouse. Motion was seconded by Mr. Dierks and carried unanimously.

CONTRACT RECORDED S-1-67

LOT CLEARING LIENS

Motion was made by Mr. Burton to approve and record Lot Clearing Liens as follows:

LC-1054 James S. Parker - in the amount of \$79.00
LC-1058 Albert L. Rogero - in the amount of \$91.00

Motion was seconded by Mr. Hutches and carried unanimously.

SPEED LIMITS: 66TH AVENUE WEST; 115TH STREET WEST

Mr. McClure moved for the adoption of a RESOLUTION ESTABLISHING SPEED LIMITS ON COUNTY MAINTAINED STREETS as follows:

<u>66th Avenue West</u> between 14th Street West and 5th Street West	25 M.P.H.
115th Street West from Cortez Road (44th Avenue West) Northward to the Bay	30 M.P.H.

Motion was seconded by Mr. McClure and carried unanimously.

RESOLUTION RECORDED S-1-68

WARRANT LISTS

Motion was made by Mr. Dierks to approve Warrant Lists from October 26 to November 2, 1976 and to authorize Warrant Lists to November 9, 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. McClure and carried unanimously.

STATE TB HOSPITAL

Motion was made by Mr. Dierks to approve application of THOMAS ROOSEVELT for admission to the State (A. G. Holley) Tuberculosis Hospital. Motion was seconded by Mr. McClure and carried unanimously.

HEALTH DEPARTMENT: CONTRACT ON ADDITIONS

Dick Shewmaker advised that grant for funds under the Hill-Burton Act had been approved for construction of additions and alterations to the Manatee County Health Department, (Project No. Fla-B-108) and submitted contract between the Board of County Commissioners and the successful contractor, Bill Halfacre, Inc., (Bid: \$147,154.00) together

with Change Order No. 1 in the amount of \$3,312.00 to provide additional ventilation installations required by the Federal Government.

Motion was made by Mr. McClure to approve and authorize the Chairman to execute the contract and Change Order subject to (1) execution by the contractor (2) execution by the architect (3) the Health Department providing the necessary funds to cover Change Order No. 1. Motion was seconded by Mr. Burton and carried unanimously.

BONDS

Motion was made by Mr. Burton to approve bonds for

Driveway Permit No. 2431

JOSEPH UNGARELLI Cash Bond and Cashier's Check \$100.00
(No. 70410 - Ellis Manasota Bank)

Driveway Permit No. 2281

J. B. ZOLLER Cash Bond and Cashier's Check \$200.00
(No. 117713 - Palmetto Bank & Trust Co.)

Motion was seconded by Mr. McClure and carried unanimously.

BILLS FOR PAYMENT

Motion was made by Mr. Dierks to approve the following bills for payment:

Alan Brice	\$ 620.50	
Manatee Memorial Hospital	32.75	
Edwin T. Mulock, attorney	731.05	
Barbara Gordon (Refund)	80.00	
L. W. Blake Hospital	468.08	
Lynne H. Johnson & Assoc.	184.58	(PERC)
State Association of County Comm.	1,456.73	

and to defer payment of bills and requests from

Tampa Bay Regional Planning Council (Dues)	
Government Study Commission	30,000.00

Motion was seconded by Mr. McClure and carried unanimously.

GUN PERMIT: WILLIAM LOWE

Motion to approve recommendation of Sheriff R. W. Weitzenfeld for issuance of a gun permit to William Lowe was withdrawn pending a report from Westwood Fletcher.

DISCHARGE OF FIREARMS (COMPLAINT: RICHARDS)

In response to a letter from Ethan Richards complaining about the dangers of guns being discharged in the area of 38th Street East, and urging that an ordinance be passed prohibiting this activity, the County Attorney advised that one of the Judges had held the existing ordinance to be unconstitutional, but he will research the matter further.

BUDGET AMENDMENT -

CIVIL DEFENSE: EMERGENCY VEHICLE

Bill Kuhn, Civil Defense Director, advised that Civil Defense had acquired a bus through Excess Property and it would be converted into an ambulance to be used during any emergency that might occur in the County. He requested transfer of funds within that Department's budget to cover the cost of conversion (\$500.00). Motion was made by Mr. Dierks that this be referred to the Deputy Clerk for the drafting of the appropriate resolution. Motion was seconded by Mr. McClure and carried unanimously.

AGRICULTURAL CENTER: JANITORIAL SERVICES

Mr. Burton recommended that Don Everett take over and be responsible for janitorial services at the Agricultural Center, Palmetto, as long as funds are available. Action was deferred until financial arrangement is worked out.

NOVEMBER 2, 1976

(Cont'd)

MINUTES APPROVED

(Motion inadvertently omitted page 319)

Motion was made by Mr. Dierks to approve Minutes of previous meetings of

REGULAR MEETING OF AUGUST 10, 1976

SPECIAL MEETING OF AUGUST 12, 1976

Motion was seconded by Mr. Burton and carried unanimously.

PORT AUTHORITY

Mr. Dierks announced that the regular meeting of the Manatee County Port Authority would be held Wednesday, November 10, 1976, due to holiday on Thursday, November 11, 1976 (Veterans Day).

WARRANT LISTS

September and October, 1976

General Revenue	31453 - 31545
Clearing account	26119 -
Road & Bridge	12169 - 12186; 12188, 12189
Library Operating	904 - 923; 925, 926
Courthouse I & S	88 - 89
Courthouse I & S Reserve	473
Hospital I & S	151 - 152
SCORE	843 - 850; 3626-3633
Talking Books	2287 - 2298
Federal Revenue Sharing	2554 - 2571
Performance Bond	67 - 69
Library Construction	954 - 958; 960-961
Historical Commission	694 - 699; 3701-3703
CETA I	2664 - 2676
CETA II	1190 - 1200; 3501-3506
CETA VI	2490 - 2497
Manpower	2625 - 2639
Manatee County Utilities System	
24.4 Revenue	0251 - 0261
13.5 Revenue	4838 - 4930
3.485 Revenue	5324 - 5347
1.65 Revenue	1303 - 1327
General Control	1882 - 2210
Special Construction (pt. August)	261 - 279
24.4 R & R	124 - 126
13.5 R & R	198 - 199
3.485 R & R	173 - 174
1.65 R & R	172

MEETING ADJOURNED

There being no further business the meeting was declared adjourned.

Attest:

M. T. McInnis, Clerk


Deputy Clerk

APPROVED:

12-2-76

Chairman

11/2