

JANUARY 18, 1977

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Courthouse in Bradenton, Florida, Tuesday, January 18, 1977, at 9:05 a.m.

Present were Commissioners
 Louis E. Driggers, Chairman
 Dan P. McClure, Vice Chairman
 Kenneth D. Dierks
 L.H. Fortson, Jr
 Lamar S. Parrish

Also present were:
 E.N. Fay, Jr., County Attorney
 R.B. Shore, Clerk of Circuit Court
 John Sands, Deputy Clerk

The meeting was called to order by Chairman Driggers.

The invocation was given by Reverend Ralph Polding of the First Christian Alliance Church.

ZONING

Jerry West, Acting Planning and Development Director, presented recommendations of the Planning Commission:

SE-972 L.V. ELLIS APPROVED
 James R. Kennedy, Agent - Request Community TV Tower for Ellenton Gardens Travel Resort, located East of 73rd Avenue, East (Ranch Ave.) and North of U.S. 301, SR 43, Ellenton on 12.53 acres, current zoning T-1. Planning Commission recommended approval.

Mr Parrish moved to approve SE-972 and adopt the appropriate resolution. Motion was seconded by Mr McClure and carried unanimously. ZONING
 RESOLUTION RECORDED SE-972

SE-973 U.S.A. PETROLEUM CORPORATION DEFERRED
 William Grimes, Trustee - Request Gasoline Service Station (self-service) and related activities located NW corner of 1st St and U.S. 301 on 0.737 acre current zoning C-1. Planning Commission recommended approval with stipulations.

William C. Grimes, Attorney, stated the property was owned by himself, acting as trustee for DeBartolo and that it had been approved by the Planning Commission, subject to completing the final plans for entrances and exits with the County Engineer, which had not been done.

Chairman Driggers advised that SE-973 would be deferred one week. There were no objections.

SE-974 SIM & BESSIE MAE BARCO APPROVED
 Lula Mae Barco, Agent - Request Mobilehome as dwelling on the S/S of Rubonia and Parish Road (69th St, East) and approximately ½ mile East of Ellenton & Gillette Road on 17.98 acres; current zoning -A-. Planning Commission recommended approval with stipulations for a period of five years and may be extended by the Planning Director for an additional five years.

Motion was made by Mr McClure to approve SE-974 with the stipulations as outlined by the Planning Commission and adopt the appropriate resolution. Motion was seconded by Mr Parrish and carried unanimously. ZONING
 RESOLUTION RECORDED SE-974

SE-975 ROY B. AND MARTHA GRAVES APPROVED

Request: Gasoline Service Station (in conjunction with R-794, requesting rezone from -A- to C-1) located on North side of SR 70, approximately ¼ mile West of Myakka City on 1.4+ acres.
 Planning Commission recommended approval and one year waiver.

R-794 ROY B. AND MARTHA GRAVES APPROVED

Request: Change the present zoning from -A- (General Agriculture) to C-1 (Commercial) district, or to such other district as determined to be more appropriate for operation of restaurant and general store on north side of SR 70, ½ mile West of Myakka City on 1.4+ acres.
 Planning Commission recommended approval.

Motion was made by Mr McClure to approve SE-975, with one year waiver, and adopt the appropriate resolution. Motion was seconded by Mr Parrish and carried unanimously. RESOLUTION RECORDED SE-975 ZONING

Mr McClure moved to approve R-974 and adopt the appropriate resolution, effective thirty (30) days from the adoption thereof. Motion was seconded by Mr Parrish and carried unanimously. RESOLUTION RECORDED SE-794 ZONING

SE-976 ROY A. WINGATE, ET UX APPROVED

Request: Mobilehome as dwelling, South side of SR 64, approximately ¼ mile East of Verna Grade on 12.60 acres; current zoning -A-.
 Planning Commission recommended approval for a period of five years and may be extended an additional five years by the Planning Director.

Motion was made by Mr McClure to approve SE-976, as recommended by the Planning Commission, and adopt the appropriate resolution. Motion was seconded by Mr Parrish and carried unanimously. RESOLUTION RECORDED SE-976 ZONING

R-796 THE AURORA FOUNDATION (Amended) APPROVED

Robert E. Christopher, Agent - Request to change the present zoning from -A- (General Agriculture) to PUD (Planned Unit Development) to be used for residential and allied service buildings, approximately 600 feet North of Manatee Avenue on the East side of 48th Street Court East on 32.00 acres. Request by petitioner for variance on road construction* Resolution presented for purpose of amending stipulation in Resolution adopted 14 December 1976, to read: Said rezoning shall be subject to the petitioner providing adequate buffering to eliminate any nuisance to surrounding residents and the participation in the construction of the County road to the project to meet the County Highway Standards when 12 units of abovesaid project are built, or when the County Engineer deems necessary.

Motion was made by Mr McClure to approve R-796 as amended, and adopt the appropriate resolution. Motion was seconded by Mr Fortson and carried unanimously. RESOLUTION RECORDED SE-796 ZONING (amended)

PRIVATE STREET NO. 26 - JAN H. GARREN DEFERRED

Request: Approval of a 40 foot easement, 650.75 in length, as a private drive to serve one private dwelling, approximately ¼ mile South of SR 62 and East of Duette Road.
 The Highway Department advised the road was adequate to serve this purpose.

Upon question by the County Attorney as to proof of ownership, Jan Garren advised that he was buying this easement to his property and

* Deferred from January 4, 1977

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and the transaction had not been completed. He was advised (so he can obtain a building permit) that the present property owner should apply for the private street, and then deed it to him.

The Chairman requested Mr West to re-submit the request, with the present owner applying for the private street, for consideration by the Board at the next meeting.

HOUSEMOVING PERMIT (JEFFRIES)

Motion was made by Mr Parrish to approve application of

Carl Jeffries to move building from 3830 Brown Road
Sarasota, Florida, to 315 45th Street
PM # 9098 East, Palmetto.

Motion was seconded by Mr McClure and carried unanimously.

WATER SYSTEM IMPROVEMENTS - LONGBOAT KEY: BIDS OPENED

R.B. Shore, Clerk of Circuit Court, advised that no bids had been received after 9:00 a.m. on the Ground Storage Tank and modifications to Longboat Key Booster Station, and that it should be noted in the record.

Bids received for the construction of water system improvements.- Section II, Ground Storage Tank and modifications to Longboat Key Booster Station were opened and read as follows:

MECHANICAL & CHEMICAL CO. INC

Item #1 - \$226,000.00 #1A - NO BID - #2 - \$203,000. #2A - NO BID
TOTAL: \$429,000.00 -(365 days)

McMAHAN CONSTRUCTION CO., INC.

Item #1 - \$219,000.00 #1A - NO BID - #2 - \$160,000. #2A - NO BID
TOTAL: \$379,000.00 -(360 days)

RUSTY PLUMBING, INC.

Item #1 - \$208,000.00 #1A - NO BID - #2 - \$183,931. #2A - NO BID
TOTAL: \$392,776.00 -(365 days)

W.E.D. CONTRACTORS, INC.

Item #1 - \$327,000.00 #1A - NO BID - #2 - \$ 96,800. #2A - NO BID
TOTAL: \$423,000.00 -(365 days)

VULCAN ENTERPRISES, INC.

Item #1 - \$258,000.00 #1A - NO BID - #2 - \$195,000. #2A - NO BID
TOTAL: \$453,000.00 -(350 days)

All bids were accompanied by 5% bid bonds. Bids were referred to Russell and Axon, Consulting Engineers, and Manatee County Utilities System, for tabulation and recommendation.

CONSTRUCTION TRUST FUNDS

Upon motion by Mr McClure, seconded by Mr Parrish, Resolution was unanimously adopted, authorizing payment of:

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 B-89

James M. Doss Associates	\$ 425.00
MCUS \$13.5 Revenue Account	8,974.34
MCUS \$13.5 Revenue Account	14,822.59

RESOLUTION RECORDED S-1-179

Mr McClure moved to adopt Resolution authorizing payment of

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-182

Albert L. and Louise O. Wyatt,	
A. Louis & Barbara Wyatt; Lawrence	
& Lois Evans Wagner	\$ 1,000.00
Wilson Coastal Enterprises Inc	936.62

and accept utility easement from Albert L. and Louise Wyatt; A. Louis and Barbara Wyatt and Lawrence and Loise Evans Wagner. Motion was seconded by Mr Parrish and carried unanimously.

RESOLUTION RECORDED S-1-180

WATER AND REVENUE SEWER BONDS

The County Attorney referred to a letter from Chris Angelidis, MCUS Director, to the bonding agent, concerning the purchase of \$45,000 worth of water and sewer revenue bonds; and \$54,000 revenue bonds. Action was deferred, pending a work session to be held January 20, 1977.

HIGHWAY DEPARTMENT - PROJECT NO. 1076: STREETS

The Purchasing Director submitted summary of the streets included in Project No. 1076, on which bid was awarded on January 11, 1977 (General Asphalt \$127,546.30):

- 34th Street W. from 60th Ave. to Cortez Road
- 26th Street W. from Cortez Road to 26th Ave. W.
- 38th Ave E. - 15th Street E. to 51st Street E.
- 30th Avenue W. - 9th Street W. to 1st Street W.
- Parrish: 1st Avenue from RR North to Dead end.
- 1st Street from 1st Avenue to US 301
- 1st Avenue Court from RR South to Erie Road
- 16th Street E. from US 301 to Fort Hamer Road

Motion was made by Mr McClure to approve. Motion was seconded by Mr Parrish and carried unanimously.

PURCHASING

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

- 1) PARKS & RECREATION - CASH REGISTER (Bid No. 77-42)
Reject all bids on Electronic Cash Register for the Golf Course. (The Clerk of Circuit Court will furnish usable machine. Minor repairs to be made \$200.00; annual maintenance cost \$150.00)
- 2) HIGHWAY DEPARTMENT - ANNUAL BIDS
Award bids on Reflective Sheeting and Sign Faces to lowest bidders.*
- 3) HIGHWAY DEPARTMENT - DIAZO - WHITE PRINTER
Authorize advertise for bids.
- 4) DATA PROCESSING
Authorize advertise for bids on Stock Tab Paper

Motion seconded by Mr Parrish and carried unanimously.

PARKS & RECREATION: GOLF CARTS

The County Attorney submitted proposal by Jeffrey Allen, Inc., to deliver twelve (12) new Golf Carts for the Manatee County Golf Course under the same terms and conditions as present lease agreement, dated 11/22/76, with one exception on the price of purchase option (outlined), noting that if approved it would be an addendum to the original contract.

John Marble, Parks and Recreation Director, recommended leasing twelve (12) additional golf carts. Motion was made by Mr McClure to approve the recommendation. Motion failed for lack of a second.

Mr Dierks moved for the approval of six (6) additional golf carts. Motion was seconded by Mr Fortson. Upon advice of the County Attorney, Mr Dierks amended his motion to include authorizing negotiation with Jeffrey Allen, Inc., for six additional golf carts for the Golf Course. Motion, as amended, was seconded by Mr Fortson. Voting "Aye": Mr Parrish, Mr Dierks and Mr Fortson. Voting "No": Mr McClure and Chairman Driggers. Motion carried.

SIGNS IN BUSES

Dr Robert E. Fuller, 3108 Smith Avenue, Bradenton, was present. He represented The New World, series on Bahai Faith, televised on Channel 13, at 8:00 a.m. on Sundays, and requested the placement of signs in County buses regarding the program. The County Attorney advised there

* 3-M Company
Mitsubishi International Corp.
Dave Smith & Company

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was question of contractual rights with the State Department of Transportation, regarding government and religion. Dr Fuller was advised that the County Attorney would research the contract with DOT and have answer at meeting Thursday, January 20, 1977.

LABOR UNIONS: COLLECTIVE BARGAINING.

- James D. Brady, Sr., Business Agent, Local 1584 of the American Federation of State, County and Municipal Employees, presented letter dated January 7, 1977, requesting tha the Commission and Local 1584 conduct an election to determine whether or not the majority of County employees in a "Maintenance and Operation" bargaining unit want Union representation. Following discussion with the County Attorney regarding public hearing, held with P.E.R.C. (Public Employees Relations Committee), in Tallahassee, the request was deferred for further review.

HUMAN RESOURCES, DEPARTMENT OF

Mr McClure moved to approve recommendations of Regis Chapman, Department of Human Resources, in memorandum, dated January 18, 1977, as follows:
MODIFICATION: TITLE II

- 1) Modification 701 of CETA Title II Grant, increasing amount from \$935,075. to \$1,158,663., to support 263 Public Service Employment Program positions for the period of October 1, 1976 to February 28, 1977 and 45 positions for the period of March 1, 1977 to September 30, 1977.

Phil Silverthorn, Chief of Bradenton Beach Police Department, was present representing Mayor Dick Connick, regarding the reduction of one clerk typist at Bradenton Beach and Mr Chapman was instructed to review CETA Title II funds and Chief Silverthorn was instructed to make transaction of the CETA employee to regular employee..

- 2) Application for CETA Title VI Grant in the amount of \$857,255. to support 197 regular Public Service Employment Program postions for period of March 1, 1977 to September 30, 1977.
- 3) On-the-Job Training Contract R-16 with Bellair Products, Inc., to train Moldman/Carpenter for period of January 17, 1977 to April 22, 1977, at total amount of contract of \$896. RECORDED S-6-
- 4) On-the-Job Training Contract with Lampkin Laboratories, Inc., to train an Electrical Assembler for the period of January 10, 1977 to April 29, 1977, at total amount of \$640.00 RECORDED S-6-

Motion was seconded by Mr Parrish. Voting "Aye": were Mr Driggers, Mr McClure and Mr Parrish. Voting "No": were Mr Dierks and Mr Fortson. Motion carried.

9TH STREET EAST PROPOSED IMPROVEMENTS: DEFERRED

Motion by Mr Dierks to approve the County Engineer's proposed improvements to 9th Street East from Weeburn to Whitfield (Project No. D-839) Woods of Whitfield Subdivision, at an estimated cost of \$28,000.00. Motion was seconded by Mr Fortson. Following discussion, motion was withdrawn and action was deferred until January 20, 1977.

STATE ROAD 683

Motion was made by Mr McClure to adopt Resolution for complying with request by the State of Florida, Department of Transportation, for Manatee County to furnish the necessary rights of way, borrow pits and easements for that portion of 13120-2506, State Road 683, extending from Sarasota County Line, Northerly and Northwesterly to State Road 55, and authorizing the execution of Right of Way Contract for Limited Access Highway, State Road 683. Motion was seconded by Mr Fortson and carried unanimously. RESOLUTION/CONTRACT RECORDED
S-1-181

RIGHT OF WAY DEPARTMENT: NEW VEHICLE

Request of Bob Moon, Right of Way Agent, for a new vehicle for his department, was referred to William Mullon, Purchasing Director, to prepare the proper bid specifications for recommendation on January 25, 1977.

PAYROLL MODIFICATIONS

Westwood Fletcher requested approval of previously coordinated personnel actions (new hires, salary increases/job reclassifications, terminations, and miscellaneous/authority to travel) with the addition of:

1) Salary Increase/Job Reclassification

Probation Department - Regena M. Gibbs from Clerk Typist I to Secretary II - \$2.69 to \$2.95.

2) Miscellaneous/Authority to Travel

Donald Shepherd - authority to travel to Tallahassee, Fla. and authorize the Chairman to sign the appropriate documents.

Motion was made by Mr McClure to approve the request, with changes as outlined. Motion was seconded by Mr Parrish and carried unanimously.

MINUTES APPROVED

Mr Dierks moved to approve the Minutes of previous meetings as follows:
NOVEMBER 9, 10, 16, 22, 23, 1976
DECEMBER 2, 1976.

Motion was seconded by Mr Parrish and carried unanimously.

COMMUNITY DEVELOPMENT PROGRAMS

Motion was made by Mr Fortson to adopt RESOLUTION REGARDING COMMUNITY DEVELOPMENT PROGRAMS, requesting that the State of Florida Department of Community Affairs include Manatee County in its application to the U.S. Department of Housing and Urban Development for local planning assistance funds for the fiscal year beginning July 1, 1977. Motion was seconded by Mr Dierks and carried unanimously.

RESOLUTION RECORDED S-1-182

COUNCIL ON AGING - FUNDING

Motion was made by Mr Fortson to authorize the execution of a Donor Agreement with the State of Florida, Department of Health and Rehabilitative Services, District VI (~~original agreement January 3, 1977~~) in connection with the Manatee Council on Aging, Inc., and funds (not to exceed \$4,594.00) to be used for providing of Information and Referral and Counseling services to eligible persons in Manatee County, Florida. Motion was seconded by Mr Dierks and carried unanimously.

AGREEMENT RECORDED S-1-183

DEED: MYAKKA CITY UNION SINGING CONVENTION

Mr Fortson moved to authorize execution of a deed to the Myakka City Union Singing Convention in connection with Resolution authorizing conveyance of certain Real Property to Myakka City Union Singing Convention adopted January 11, 1977. Motion was seconded by Mr Parrish and carried unanimously.

LAWSUIT: BIG TOP SANDWICH SHOP vs PLANNING (LIQUOR LICENSE)

Motion was made by Mr Dierks to approve satisfaction of judgment and authorize the Clerk to issue a check in the amount of \$110.43 to Patrick Schroff, Plaintiff in case of

Patrick Schroff v. Jerry West, Chief of Current Plans
Division of Planning and Development of Manatee County,
Florida, et al.; Case No. CA-76-138 in the Circuit
Court of Manatee County, Florida,

as recommended by the County Attorney. Final Judgment by Court that Patrick Schroff, d/b/a Big Top Sandwich Shop, operates a restaurant and is entitled to a zoning approval for obtaining a 2 COP (beer and wine) license. Motion was seconded by Mr Parrish and carried unanimously.

BILLS FOR PAYMENT

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

Douglas E. Croll	\$ 901.19
Mann, Fay & Price	1,107.50
Mary T. Baber (Court Reptr)	5.30; 137.50; 15.00
Donald Bell (Court Reporter)	74.20; 55.00
Clara Shelman; Shirley Searles	50.00 (Refund)
Manatee Memorial Hospital	35.75

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and to defer payment of \$636.48 to Croll, Ranon, McIntosh and Ramirez, which was referred to the County Attorney and Mr Dierks for review and recommendations on January 25, 1977. Motion was seconded by Mr Dierks and carried unanimously.

BONDS

Motion was made by Mr Fortson to approve bonds; also additions and/or deletions, as follows:

Sheriff's Department

Public Employees Blanket Bond: Auto-Owners Insurance Company

ADDITIONS:

Gary D. Metzger	- Jailer
Carl H. Gibson	- Patrolman
Walter N. Stewart	- Baliff (part-time)
Thomas Williams Jr.	- Baliff (part-time)
Joseph J. Leitenberger	- Director of Crime Analysis (Civilian Employee)
John C. Fulfort	- Sergeant Administration
Stephen E. Mathis	- Planning & Research
Allen S. Denison	- Lieutenant, Shift Commander
Stephen D. Murray	- Deputy Patrol Division
Clyde M. Gill	- Captain, Services Division
George F. Harris	- Detective

DELETIONS:

Charles R. Wittaker	- Boat Patrol
Robert A. Collier	- Major

APPROVE:

Driveway Permit No. 2046

KARLEEN PRIDE - Money Order No. 130 2437125 - \$250.00

Driveway Permit No. 2450

LEROY SPINELLA - Cash Bond and Cashiers Check - \$200.00

Driveway Permit No. 2366

LOGAN & CURRIN CONTRACTORS - Cash Bond and Cashiers Check \$75.00

Motion was seconded by Mr Parrish and carried unanimously.

WARRANT LISTS

Motion was made by Mr Fortson to approve Warrant Lists from January 11, to January 18, 1977, and authorize Warrant Lists to January 25, 1977, 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 County departments. Motion was seconded by Mr Dierks and carried unanimously.

ILLEGAL DUMPING - AL BRICE

Mr Fortson moved not to renew the contract (expiring January 31, 1977) with Al Brice for investigative services on illegal dumping in Manatee County, subject to review at a later date, and to instruct the Chairman to notify Mr Brice. Motion seconded by Mr Dierks and carried unanimously.

CORRESPONDENCE

Chairman Driggers read correspondence from:

- 1) City of Holmes Beach - requesting use of three voting machines for the General Election March 8, 1977.

CITY OF HOLMES BEACH: VOTING MACHINES

Motion was made by Mr Fortson to approve request of the City of Holmes Beach for the use of three voting machines for their General Election March 8, 1977. Motion was seconded by Mr Parrish and carried unanimously.

- 2) Harold Rouse, Veterans Service Officer - referring to Stewart Oxygen Service who had been providing oxygen for the Veterans Service Van, and request for Board to allocate \$120.00 for the oxygen for the period of February 1, 1977 to February 1, 1978.

Chairman Driggers advised he would review the matter with Veterans Service Officer Harold Rouse, and report back to the Board.

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- 3) Harold Rouse, Veterans Service Officer - request for Board to appropriate fund of \$35.00 to cover cost of new notary seal. Chairman Driggers advised he would discuss the matter with Mr Rouse/
- 4) Petition from home owners and residents of 5th Street East, Bradenton, petitioning the Commission to revise plans for sewer line installation on 5th Street East, and that sewer line be installed on the east side or west side of the paved road, eliminating the need for destruction and repaving of the street.
- 5) Memorandum from Carlos Ugarte regarding the status of I-75.

ROUTE CORRESPONDENCE (OUTGOING)

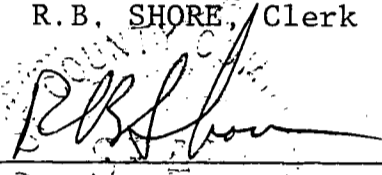
Mr Dierks recommended that all Commissioners out-going correspondence be routed to each Commissioner. No action was taken.

MEETING ADJOURNED

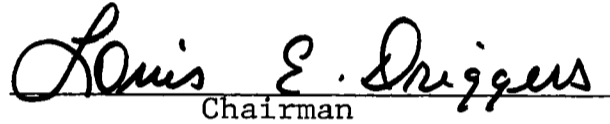
There being no further business, the meeting was declared adjourned.

Attest:

R.B. SHORE, Clerk



APPROVED:



Chairman