

FEBRUARY 8, 1977

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, February 8, 1977 at 9:05 A. M.

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

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

Invocation.

The meeting was called to order by Chairman Driggers.

**LIBRARY: ANALYSIS REPORT**

Dr. Leonard Najjar, Resident Project Engineer, gave a report on the construction of the County Library building and stated that he was in the process of preparing a list of the areas of concern which he will bring to the Construction Code Board of Appeals the following Friday.

**TELEPROMPTER: PUBLIC HEARING ON RATES**

Public hearing was opened for the purpose of hearing justification by Teleprompter of Manatee County, Inc., on increase of rates to Mobile Home residents. This public hearing had been continued from January 25, 1977, at which time the County Attorney had been instructed to determine if a mobilehome is the same as a single family residence. He advised that in his opinion a mobilehome is not the same classification as a single family home and this is, in fact, a rate change and should have gone through the process as such. He suggested that Teleprompter be given additional time to furnish information and show their rates are fair and reasonable and justified.

Mr. Fortson read into the record a letter from Ms Marcia Smith concerning "bulk billing" by Teleprompter.

Upon question by Trumbull King, Pescara Mobile Home Park, he was advised that this Board is not in a position to make decision as to whether residents should pay on the old or new rates (outlined in letter to mobilehome park residents).

Thomas Alexander, representing Teleprompter, explained the rate structure and proposed changes, stating the stance of the company had not changed since the presentation on January 25th; that Teleprompter is a public service and not a utility company.

Mr. Fortson recommended and moved that, based on the opinion of the County Attorney and inasmuch as Teleprompter has set the classifications of single family residences and mobile homes, that they be given two weeks to justify the rate changes; also, that the County Attorney give the firm written notice to this effect. Motion was seconded by Mr. Parrish and carried unanimously.

The Chairman stated that the public hearing was closed.

**RECESS**

After a short recess the meeting was reconvened with all members present.

**ZONING**

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

SE-980 JIRI P. & DAGMAR TABORSKY APPROVED

Request for mobilehome as dwelling on 11.3 acres located 9808 28th Ave. E., Palmetto.

The Planning Commission recommended approval for a period of five years and may be extended for additional five years by the Planning Director.

Mr. McClure moved for the approval of SE-980 for Jiri P. and Dagmar Taborsky, as recommended by the Planning Commission, and adoption of the appropriate Resolution. Motion was seconded by Mr. Dierks and carried unanimously.

ZONING  
SE-980

RESOLUTION RECORDED

SE-982 RICHARD SPARKS HALEY, ET UX APPROVED

(Jack Seaman, agent) Request for church and related facilities (Jewis Temple) on 1.79 acres located 2215 75th St. W., Bradenton.

The Planning Commission recommended approval with waiver of eighteen (18) months on completion of 25 percent of construction.

Mr. Fortson moved for the approval of SE-982 and waiver as recommended by the Planning Commission and for adoption of the appropriate resolution. Motion was seconded by Mr. Parrish and carried unanimously.

ZONING  
SE-982

RESOLUTION RECORDED

77-S-5P & F GUBODY SUBDIVISION PLAT APPROVED

Request preliminary and final plat approval of single family subdivision on 2.17 acres (6 lots) located west side of 9th St. E. and south of Whitfield Ave.

The Planning Commission recommended approval.

Mr. Dierks moved for the approval of the plat of Gubody Subdivision and adoption of the appropriate Resolution. Motion was seconded by Mr. Fortson and carried unanimously.

ZONING

RESOLUTION RECORDED

77-S-3 THE GOSS ESTATE SUBDIVISION APPROVED

Request for approval of preliminary and final plat of 1-lot single family subdivision 1.3 m/1 bordered on east by 63rd St. NW., and on south by Belair Bayou Sub., Unit II.

The Planning Commission recommended approval.

T-1/60(F) MEL MAR VILLAGE UNIT II APPROVED

(James Wallace, agent) Request approval of final plan of addition to mobilehome park (17 lots) located on 2.44 m/1 acres at 2802 14th St. W., Bradenton.

The Planning Commission recommended approval.

Motion was made by Mr. Fortson to approve 77-S-3 plat of The Goss Estate Subdivision and adopt the appropriate Resolution. Motion was seconded by Mr. Dierks and carried unanimously.

ZONING

RESOLUTION RECORDED

Motion was made by Mr. Fortson to approve T-1/60 final plan of Mel Mar Village, Unit II, adopt the appropriate Resolution and accept cash bond in the amount of \$1,000.00 (for completion of improvements) as recommended by the Planning Commission. Motion was seconded by Mr. Parrish and carried unanimously.

ZONING

RESOLUTION RECORDED

WASHINGTON GARDENS SUBDIVISION

Lawrence Livingston, Leon Robinson and a committee appeared before the Board on behalf of residents of Washington Gardens Subdivision to protest the construction of rental duplex apartments by Austin Development Company on certain property in the Washington Gardens area. They submitted a petition, signed by fifty-one residents seeking rezone to single family district to prevent this type of construction.

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(Cont'd)

Mr. West advised that the present zoning was for duplexes and the Planning Commission was initiating rezone on the balance of the property to R-1AB; that the general area was developed as single family residences. He pointed out that the owner has preliminary plan approval and had submitted construction plans and applied for permits for three models; however, based on action by the Planning Commission, permits had not been issued.

After discussion and advice from the County Attorney, motion was made by Mr. Parrish to instruct the Planning and Development Department and the Highway Department not to process any applications for building permits and not to give approval for any further subdivision plats in the Washington Gardens area pending decision by the Planning Commission and the Board of County Commissioners on the possible rezone of this property. Motion was seconded by Mr. Dierks and carried unanimously.

#### SECONDARY ROAD PROGRAM: DEPARTMENT OF TRANSPORTATION

Bill Cochran, Deputy District Engineer, and W. R. Trefz, Deputy Engineer of Operations, State Department of Transportation, made a presentation on the primary and secondary road system in Manatee County to assist the Board in updating the Secondary Road Plan for the next five years. General discussion ensued concerning projected plans, completion dates of road projects, Interstate 75 and maintenance of median strips.

Among those present and making comments were Mrs. Lena Belle Coates, Councilwoman, City of Bradenton; Gene Wiseman; Steve Albee, Chamber of Commerce.

#### CIVIC CENTER - WATERFRONT PROPERTY (LANDFILL)

Steve Albee, Chamber of Commerce, was present in lieu of Ken Barneby, to submit report of the ad hoc committee on the proposed Civic Convention Center on the City Waterfront property that was offered to the County Commission the previous week, noting that a feasibility study by professionals is needed to determine if such a project is practical.

Bill Zoller, of Abbott-Zoller-Turner, Architectural Engineers, who is conducting a feasibility study in connection with option with the City of Bradenton on the property, said he would make his firm's study available to the County. During discussion, there was question and expression of concern of legality of county expending funds for a feasibility study on property under option to a private firm.

No action was taken as it was concensus opinion of Board members that a feasibility study was not advisable at this time.

#### PALMA SOLA AIRPORT

A number of interested residents of Palma Sola Area were present regarding the proposed expansion of the Palma Sola Airport. Among those present and making comments were

Carl Pilger - presented survey of nearby residents approving expansion;

John Booker - presented petition of residents favoring expansion;

Mary Ann Allan - presented petition opposing expansion;

Ken Cleary

Dick Blankenship

Mrs. Blackwood

Richard Wolfe, Manager of Bradenton-Sarasota Airport, advised that federal funds are available through the Airport Authority for expansion of facilities, etc.

Hilda Quy - Commissioner Fortson read a letter from Mrs. Quy, Isaak Walton League of Manatee County, opposing expansion of the Palma Sola Airport.

Motion was made by Mr. Fortson that the Board not endorse the Palma Sola area as a site for an airport. Motion was seconded by Mr. Dierks and carried unanimously.

## RECESS

Chairman Driggers recessed the meeting until 1:30 P.M.

1:30 P. M.

The Board of County Commissioners of Manatee County, Florida reconvened at 1:30 P.M., February 8, 1977, with all members present.

## EMERGENCY MEDICAL SERVICES: PURCHASE OF EQUIPMENT

Motion was made by Mr. McClure to approve purchase of equipment for Emergency Medical Services, approximate cost \$625.00, from funds in the EMS budget. Motion was seconded by Mr. Dierks and carried unanimously. (Laryngoscopes and forceps for ambulance units recommended by Emergency Medical Services Advisory Committee and member of medical profession.)

## SUNCOAST REGIONAL EMERGENCY MEDICAL SERVICES

Ken McKendree, Director of Manatee County Emergency Medical Services, submitted a Resolution adopted by the Emergency Medical Services Advisory Committee, approving and recommending to the Board of County Commissioners that Manatee County participate or affiliate with a regional group (Suncoast Regional Emergency Medical Services Consortium) for participation in a Grant concerning transfer agreements between hospitals, for critical or specialty care cases as presented by Southern Health Foundation, and appoint two members to represent the County on this Regional Board. He read an excerpt from the law pertaining to the necessity of the County's joining a regional association in order to qualify for receipt of federal funds.

Don Shepherd, Grants Coordinator, outlined the general requirements of the program as it relates to local and/or regional federal funding.

Motion was made by Mr. Fortson that the Chairman be authorized to sign a letter advising that Manatee County will join the Regional Council, and that members to this Council be designated as Chairman Louis Driggers and Dr. T. S. Pannington, also that the Clerk certify that there will be no reduction in the budget. Mr. Driggers stepped down as Chairman and seconded the motion. Voting "Aye": Mr. Parrish, Mr. Fortson, Mr. McClure and Chairman Driggers. Mr. Dierks voted "No". Motion carried.

## 13TH STREET EAST: COUNTY-CITY PAVING PROJECT

The County Engineer requested approval for the Chairman to sign a petition for the paving of 13th Street East, between 10th Avenue East and 13th Avenue East, and on 13th Avenue East, between 13th Street East and 14th Street East, located within the limits of the City of Bradenton. The work will be done by the City of Bradenton and cost to the County for its one-third share for paving the street(s) bordering the East Bradenton Recreation/would be \$4,249.82.

Motion was made by Mr. Fortson that the Chairman be authorized to sign the petition for the paving participation project. Motion was seconded by Mr. Dierks and carried unanimously.

## BAYSHORE GARDENS - RETAINING WALL

## BID ACCEPTED: WOODRUFF &amp; SON

Upon recommendation by the County Engineer, motion was made by Mr. Fortson to accept the low bid submitted by Woodruff & Son, in the amount of \$13,256.00, for construction of a retaining wall in the Bayshore Gardens area. Motion was seconded by Mr. Dierks and carried unanimously.

## HUMAN RESOURCES, DEPARTMENT OF

Regis Chapman, Director of Department of Human Resources, requested approval of three On-The-Job Training Contracts, R-21, R-22 and R-23, and outlined project proposals under Title VI of the CETA Program.

Motion was made by Mr. Dierks that the following OJT Contracts be approved, ratified and confirmed:

- OJT R-21 Saw Dust Joes - to train furniture reproducer during period 2/7/77 to 12/2/77: Amount \$1720.00
- OJT R-22 Carpet Class of Fla. - to train office manager period 1/31/77 to 7/9/77 : Amount \$ 910.80
- OJT R-23 Bradenton Cooling & Heating - train office manager/invoice control clerk during period 2/3/77 to 11/9/77: Amount \$1920.00

Motion was seconded by Mr. Parrish and carried unanimously.

CONTRACTS RECORDED (3) S-6-

## CETA PERSONNEL: NON-PROFIT ORGANIZATIONS

Upon recommendation by the County Attorney, motion was made by Mr. Fortson to adopt a RESOLUTION REGARDING CETA PARTICIPANTS EMPLOYED BY CERTAIN UNITS OF LOCAL GOVERNMENT OR BY NON-PROFIT ORGANIZATIONS providing for an agreement between CETA employees and employing agency indicating that Manatee County is not the employer of certain CETA personnel and that the agreement be ratified by the County for the record. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED S-1-207A

## LIBRARY: CLERK OF THE WORKS

Minutes of a previous meeting of the Board verified that the services of the Clerk of the Works for the Library Building had been terminated, effective Friday, February 4, 1977. (Mr. Dierks had been requested to submit status report on this matter.)

PARKS & RECREATION: REVISED <sup>B</sup>GUDGET - GOLF COURSE

Mr. Shore read the Revised Budget for the Manatee County Golf Course on estimated revenue and expenditures, submitted by John Marble, Director of Parks and Recreation.

Motion was made by Mr. McClure that the Clerk prepare the appropriate Resolution on the Revised Budget for the Golf Course for adoption at the next meeting. Motion was seconded by Mr. Fortson and carried unanimously. (Increasing estimated revenue and making line item changes.)

## PARKS &amp; RECREATION: BIDS ON FLOOR COVERING &amp; EQUIPMENT

Upon request by Mr. Marble, motion was made by Mr. McClure that the Purchasing Agent be authorized to advertise for bids on floor covering and miscellaneous equipment to go in the Snack Bar at the Golf Course. Motion was seconded by Mr. Fortson and carried unanimously.

## GOLF COURSE OPERATION AND SEPARATE ACCOUNT

The County Attorney submitted and outlined a proposed RESOLUTION GRANTING CERTAIN AUTHORITY TO THE DIRECTOR OF THE PARKS AND RECREATION DEPARTMENT relating to the operation of the Golf Course; authorized the Director to negotiate, complete and execute Special Work and Services Agreements in connection with maintenance and operation of the Golf Course, provide "Play Cards" with fees or rates, determine terms and provisions of a form Golf Cart Lease or Rental Agreement; to establish with the Clerk of Circuit Court appropriate account(s) for the purpose of depositing and disbursing funds concerning operation of the Golf Course distinct from the General Fund and other County funds so that the economic status and financial responsibility of the Golf Course can be determined.

Mr. McClure moved for the adoption of the Resolution as outlined and recommended by the County Attorney. Motion was seconded by Mr. Fortson and carried unanimously.

RESOLUTION RECORDED S-1-208

SPEED GUN

Chairman Driggers presented a "Speed Gun" to Sheriff Tom Burton, advising that this speed gun had been purchased for use by the Florida Highway Patrol but that ownership would be retained by Manatee County.

PURCHASING DEPARTMENT: BIDS

Motion was made by Mr. Fortson that the Purchasing Director be authorized to advertise for bids for equipment and supplies as requested:

- Clerk of Circuit Court (1) Data Processing Supplies
- Highway Department (2) Bridge Timbers

Motion was seconded by Mr. McClure and carried unanimously.

PURCHASING DEPARTMENT: POLICIES & PROCEDURES

SURPLUS PROPERTY - CIVIL DEFENSE

Mr. Fortson moved for the adoption of a RESOLUTION AMENDING PURCHASING DEPARTMENT POLICIES AND PROCEDURES MANUAL by adding Paragraph 14 to provide for designation of a Surplus Property Agent or his alternate by the Board of County Commissioners who would be authorized to execute documents relative to acquisition, use, payment and disposition of surplus property, to be deemed to be acting on behalf of the Purchasing Director when acquiring said property. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED S-1-209

Motion was made by Mr. Fortson that the Chairman be authorized to execute Surplus Property Agent Certification designating C. H. Address, as the legally constituted Director of Civil Defense for Manatee County authorized to receive Donable Surplus Property on behalf of Manatee County for civil defense purposes and to execute documents relative to acquisition, use, payment for and disposition of such property, and designating Billie J. Baird, Assistant County Engineer as Alternate Surplus Property Agent. Motion was seconded by Mr. Dierks and carried unanimously.

48TH STREET COURT EAST: ACCEPTED AS COUNTY ROAD

Robert Moon, Right-of-way agent, submitted affidavits and highway map of 48th Street Court East and recommended that it be accepted by right of maintenance under Florida Statute 95.361 and recorded as a county road.

Motion was made by Mr. McClure to accept 48th Street Court East as a county road as recommended by Mr. Moon. Motion was seconded by Mr. Fortson and carried unanimously.

PUBLIC WORKS ACT

Proposed resolution declaring Manatee County as a Re-Development Area as a requirement to obtain monies available under the Public Works Act, in connection with unemployment, was deferred pending research by the County Attorney on additional information.

CONSTRUCTION TRUST FUND

Upon motion by Mr. McClure, seconded by Mr. Fortson, Resolution was unanimously adopted authorizing payment of

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 B-90

Woodruff & Sons, Inc.

1,426.88)

4,244.00)

MCUS \$13.5 Revenue

3,662.27

MCUS \$13.5 R & R

14,745.57

RESOLUTION RECORDED

S-1-210

MEALS ON WHEELS: AGREEMENT

Motion was made by Mr. Fortson to approve and authorize execution of an Agreement by and between the County of Manatee and Meals on Wheels of Manatee County, Inc., to provide for funds to be disbursed and expended in connection with any duly authorized purpose or purposes in any fiscal year of the County in amounts not to exceed the total amount of appropriation. Motion was seconded by Mr. Dierks and carried unanimously.

AGREEMENT RECORDED S-1-211

DESOTO CELEBRATION

The County Attorney was instructed to draft the appropriate resolution for transfer of funds allotted to the DeSoto Celebration and Float to the Chamter of Commerce for disbursement to the DeSoto Celebration Committee.

LAWSUIT: GARZA VS. MANATEE COUNTY

By letter dated February 7, 1977, Mr. Fay described a lawsuit filed by a participant in the Work Release Program seeking an accounting of wages allegedly turned over to the Work Release Department while he was on the program; that \$802.54 was tendered to this person in November 1976 and he refused to accept the check for that amount. Mr. Fay said his firm will represent the County in this suit

Re: Jesus Garza, Plaintiff vs. Manatee County, Florida, Defendant, Case No. CA-77-174 in the Circuit Court

for a fee determined at \$50.00 per hour, plus costs and expenses incurred, and recommended that he be authorized to make investigations, prepare and file pleadings, attend and participate in Court proceedings and perform all other professional services necessary to protect the interests of the County in this litigation.

Motion was made by Mr. Dierks that the County Attorney be authorized to defend the County in the case as outlined in his letter dated February 7, 1977. Motion was seconded by Mr. Parrish and carried unanimously.

DOLIME MINERALS COMPANY - POLLUTION CONTROL (PORT)

Following a general discussion of application by DoLime Minerals Company for facilities for handling of dry sulfur at Port Manatee, and the letter from the Pollution Control Director to Department of Environmental Regulations recommending denial of said application, it was recommended by Mr. McClure that any action by this Board be deferred until after a meeting with all interested parties in St. Petersburg where the deficiencies, if any, of DoLime Company would be discussed.

In the meantime, Mr. Dierks was instructed to check with Manatee County Pollution Control Board and report on its position in regard to this matter.

REVENUE SHARING ACTUAL USE REPORT

Motion was made by Mr. Fortson that the Chairman be authorized to sign Actual Use Report of Revenue Sharing Funds for period July 1, 1976 - December 31, 1976 and advertise same. Motion was seconded by Mr. Dierks and carried unanimously.

MEETING ADJOURNED

Chairman Driggers announced that there would be a SPECIAL MEETING of the Board at 9:30 A.M. Thursday, February 10, 1977 to complete items remaining on the Agenda and consider any new business. He then declared the meeting adjourned.

Attest:

*[Signature]*  
COUNTY CLERK  
MANATEE COUNTY, FLORIDA

APPROVED:

*Louis E. Driggers*  
Chairman

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SPECIAL MEETING:

FEBRUARY 10, 1977

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