

MARCH 17, 1977

The Board of County Commissioners of Manatee County, Florida, met in SPECIAL SESSION in the Court House in Bradenton, Florida, Thursday, March 17, 1977 at 9:08 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 John D. Sands, Deputy Clerk
 E. N. Fay, Jr., County Attorney

The meeting was called to order by Chairman Driggers.

LIBRARY CONSTRUCTION: APPLICATION FOR PAYMENT

Lamar Matthews, attorney, was present regarding application and certification for Payment No. 10, in the amount of \$48,004.74, to Roger B. Hall, contractor, for construction of the Central Library Headquarters Building, which had been presented to the Board on March 15, 1977 and was deferred because the architect had refused to sign the document. He refused because he felt the percentage of work accomplished and the percentage of the contract amount paid had gotten out of line.

Mr. Matthews said the bill represents special order materials that were ordered in February 1976 and all had been delivered to the site, noting that if these items had to be repurchased it would cost at least 50 percent more.

Mr. Dierks made a motion to approve Payment No. 10, as submitted March 1, 1977. Motion was seconded by Mr. Parrish. Under discussion, the County Attorney advised that it should be included in the motion that the payment of this bill is being made because of the particular circumstances involved in the shut-down and is without prejudice to the Board's rights to, at some future date, made a determination as to the total liability of all parties. Mr. Dierks amended his motion to include that statement. Motion, as amended, carried unanimously.

PERSONNEL: MANNING LEVELS AMENDED

Mr. Dierks made a motion to adopt a Resolution authorizing amendment to established Manning Levels, by Job Classification, for Departments Under the Direct Supervision of the Board of County Commissioners, as follows:

<u>Highway & Engineering Department</u>	<u>Classification</u>
Engineering Technician III	From 4 to 6
Engineering Technician II	From 6 to 4

Motion was seconded by Mr. Parrish and carried unanimously. (Mr. Fortson was not present for the vote.)

RESOLUTION RECORDED S-5-^{p-31}

HEALTH DEPARTMENT: HILL-BURTON GRANT

Mr. Fortson made a motion to adopt a Resolution Regarding the Manatee County Health Department Building and Grant-In-Aid Therefor, ratifying, confirming and clarifying the execution of applications, letters and other documents, for and on behalf of the Board of County Commissioners, in connection with the Federal Grant through the Office of Community Medical Facilities of the Florida Department of Health and Rehabilitative Services for construction of the new addition to the Manatee County Health Department Building. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED S-1-266

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PRIVATE STREET NO. 28 (YANCEY)

Motion was made by Mr. Parrish to adopt a Resolution approving a 66-foot easement as a private road for Clyde Yancey & Sons Dairy, Inc., Ronald and Judy Yancey and Carl M. and Helen B. Lehman, application approved on March 1, 1977 and identified as Private Street No. 28. Motion was seconded by Mr. Fortson and carried unanimously.

RESOLUTION RECORDED S-1-267

KEY ROYALE PASS: DREDGING

In connection with the filing of application for a dredge and fill grant for Key Royale Pass, in the amount of \$125,000, which was approved on March 15, 1977, subject to the Cities of Holmes Beach and Anna Maria submitting resolutions guaranteeing to pay any excess over \$125,000 to such extent as mutually agreed upon between the two cities and reserving the right to request contributions toward the payment of this agreed share, the County advised that the Resolutions had been received. He expressed concern, however, on the wording of the guarantees in that the two cities both agreed to pay the overrun, but did not state the percentage each would pay.

After discussion, the resolutions from City of Holmes Beach (No. 77-10) and from the City of Anna Maria (No. 379) were filed for record.

SEWERAGE PROJECT - PART F, SECTION I

Motion was made by Mr. Fortson to approve Change Order No. 4 to the Lanzo Construction Company contract for Part F, Section I of the Sanitary Sewerage Project #6681-6, for the Gravity Sewers and Force Mains (additions and deletions of sewer lines): increase of \$68,285.50 and decrease of \$54,995.00 (adjusted contract amount \$2,490,787.00). Motion was seconded by Mr. Dierks and carried unanimously.

SEWERAGE PROJECT - PART F, SECTION V

Motion was made by Mr. Fortson to approve Change Order No. 2 to the Woodruff & Sons, Inc., contract for Part F, Section V of the Sanitary Sewerage Project #6681-6 (Lift Stations) for the deletion of Lift Station #19A and the addition of one 12 V.F. Wet Well: decrease of \$30,300.00 and increase of \$2,309.40 (adjusted contract amount \$384,709.40). Motion was seconded by Mr. McClure and carried unanimously.

STATE ROAD NO. 684 (CORTEZ ROAD) - DRIVEWAY PERMIT

Mr. Fortson made a motion to approve application to the Department of Transportation for driveway permit at State Road No. 684, Section No. 13040 at the intersection of 119th Street West (to existing MCUS Booster Pumping Station). Motion was seconded by Mr. Parrish and carried unanimously.

SNEADS ISLAND WATER PROJECT

Mayor "Toby" Holland and Bob Lombardo, Engineer, City of Palmetto, Herb Hayes and Chris Angelidis were present regarding the proposed extension of the water line to Sneads Island and the North Palmetto area. After lengthy discussion on the plans and the problems of water pressure, the Board suggested that the project and plans be again reviewed by Palmetto Officials with Mr. Angelidis and Mr. Hayes and presented to Palmetto City Council for consideration.

PALMETTO, CITY OF - WATER RATE REVIEW

Upon request from Chris Angelidis, Mr. McClure made a motion to authorize the County Attorney to notify the City of Palmetto that a review of their water rates would be due in June, 1977, as authorized in the contract between Manatee County and the City of Palmetto. Motion was seconded by Mr. Dierks and carried unanimously.

(Mr. McClure left the meeting)

RESERVOIR SPILLWAY

Upon question by Mr. Dierks, Herb Hayes gave a report on Lake Manatee Reservoir Spillway. He stated that additional spillway was needed due to a change in the evaluations of the regulatory agency (Corps of Engineers) on small dams, which was brought about by the Water Quality Act of 1972. He referred to his letter to the Board, which was discussed in the meeting of February 17, 1977.

Mr. Angelidis advised that he had met with Southwest Florida Water Management District personnel and this particular item, plus the problem of additional water, had been reviewed. He requested permission to set up a meeting with the District staff and the Consulting Engineers for the purpose of reviewing the whole problem and future planning.

After further discussion, the matter was deferred for further discussion in two weeks.

BEKER PHOSPHATE COMPANY - RE: AMENDING DRI ORDER/SPECIAL EXCEPTION

In connection with Beker Phosphate Company's Development Order and Special Exception Resolution, Mr. Fay stated that one of the requirements was that they build two secondary dams between the primary dam and downstream for environmental protection and also as a flood control and water reservoir source. Since the time the DRI Order was granted, the Department of Environmental Regulations has changed their rules to require a dredge and fill permit for building the secondary dams and they have now taken the position that building the dams would create problems to the ecology and they have told Beker that the permit for the dams would be denied.

Mr. Fay said that the Department of Environmental Regulations has suggested that Manatee County apply for a permit to build a dam in the same location as Beker had anticipated (Upper Fork of the Little Manatee River), and they would approve it as a flood control and water conservation purpose.

He said that he, Beker and DER informally suggest that consideration be given to amending the Development of Regional Impact Order and the Special Exception Resolution to leave out the requirement that the dams be built prior to commencing mining operations, which will give the County time to apply for the permit if deemed appropriate, and Beker will still be able to continue their operations as scheduled, but will build the dams on a time schedule to be set by the Board.

Mr. Dierks made a motion to authorize the County Attorney to advertise and send out notice of a particular meeting of the Board to consider amending the Development of Regional Impact Order and the Resolution approving the Special Exception for Beker Phosphate Company to determine whether or not these dams should be built before or after mining operations begin. Motion was seconded by Mr. Parrish and carried unanimously.

DATA PROCESSING CENTER - BOARD OF GOVERNORS

The Chairman read a memorandum from Sam Cornwell, Chairman of the Board of Governors for the Data Processing Center, advising that a work session had been scheduled for Friday, March 18, 1977, at 10:00 A.M. at the Ellis First National Bank Board Room.

MUNICIPAL SERVICES TAXING UNITS

Upon request from Mr. McClure, Mr. Fay gave a report on Municipal Services Taxing Units. He said that county governments have the

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power to create, by resolution or ordinance, taxing units within the unincorporated areas, to provide municipal services such as lights, police protection, fire, garbage collection, etc., if the residents of that particular area and the County Commissioners consider it feasible; that these services would be paid for by increasing the millage of the residents of the area(s) where such service is provided. He suggested that procedures be established to handle the requests for setting up these taxing units as this might become more common as a result of the Double Taxation situation.

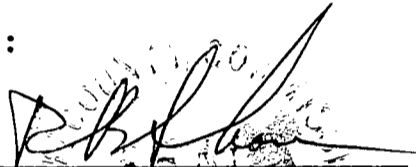
Cordt Goldeisen, president of the Gulf to Bay Improvement Association was present and urged the Board to consider adopting such procedures.

After discussion, Mr. Fay was instructed to proceed with drafting proposed procedures for setting up Municipal Services Taxing Units.

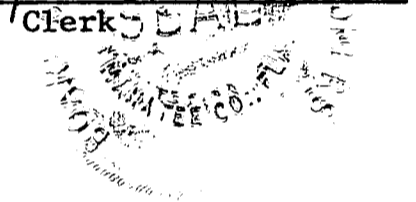
MEETING ADJOURNED

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

Attest:



Clerk



APPROVED:

5/17/77


Chairman