

MARCH 22, 1977

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, March 22, 1977 at 9:00 A. M.

Present were Commissioners Dan P. McClure, Vice Chairman
 Lamar S. Parrish
 L. H. Fortson, Jr.
 Kenneth D. Dierks
Also present were R. B. Shore, Clerk
 John Sands, Deputy Clerk
 E. N. Fay, Jr., County Attorney
Commissioner Louis Driggers, Chairman, was not present.

Invocation: Reverend Donald Brady

The meeting was called to order by Vice Chairman McClure.

LIBRARY: RESIDENT PROJECT ENGINEER - REPORT

Leonard J. Najjar, Resident Project Engineer, submitted report regarding compression tests on the Library Building, noting that the testing report on information as to concrete cover over reinforcing steel and concrete consolidation had not been received; that his conclusions and recommendations as a result of final reports will be given at the next meeting of the Construction Codes Board of Appeals.

ZONING

Recommendations of the Planning Commission were presented by Charles Carrington, Planning and Development Director.

S-136(F) GATEWAY EAST, UNIT 5 PLAT APPROVED
(L. R. Penny & Assoc., agent) - Request for approval of final plat of single family subdivision on 9.21 acres m/1 located approximately 660 ft. south of SR 70 and approximately 300 ft. east of 39th St. E.
The Planning Commission recommended approval.

Mr. Fortson moved for the approval of S-136(F) Gateway East, Unit 5 final plat and the adoption of the appropriate Resolution. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED

ZONING
SUB.

76-T-1/4(F) ELLENTON GARDENS TRAVEL RESORT: APPROVED
(James Kennedy, agent) - Request for approval of final plan of a travel trailer park for 95 sites (PHASE I) on 12.5/100 acres bordered on the south by US301 and on the west by 73rd Ave. East
The Planning Commission recommended approval.

Motion was made by Mr. Parrish to approve 76-T-1/4 final plan of Ellenton Gardens Travel Resort and adopt the appropriate resolution. Motion was seconded by Mr. Fortson and carried unanimously.

RESOLUTION RECORDED

ZONING
SUB.

SE-837 DELIVERANCE MIRACLE REVIVAL CENTER
OF FLORIDA EXTENSION DEFERRED
Request for Extension of the Special Exception for waiver of one year for completion of church facilities.
(second one year extension)

Upon request by Mr. Parrish, the Chairman stated that if there were no objections action on request for one year extension on SE-837 would be postponed for two weeks. There were no objections.

MARCH 22, 1977

(Cont'd)

LIBRARY SYSTEM: PROPOSED LEGISLATION

Mrs. Cullon Walker, Chairman, Mrs. Judy Oakley and Mrs. Wick Kirby, Members, Manatee County Library Board, were present regarding proposed legislation on the Manatee County Library System. They questioned the fact that the Library Board had not been furnished a copy of the draft and some of the provisions that had been brought to their attention. Mrs. Leach, representing the City of Bradenton Library Board, was present and entered into the discussion.

Westwood Fletcher was requested to work out a schedule of a work session to be held on March 28, 1977 with members of the Library Board and representatives of the City of Bradenton and the City of Palmetto, if desired.

ZONING: WASHINGTON GARDENS AREA

Carl King, representing the Manatee County Board of Realtors, Inc., read a letter expressing concern over recent action taken by the Commission concerning the Austin Development Corporation's project (construction of duplexes) in the Washington Gardens area in imposing stop order, thereby forcing the developer to spend additional funds to go to court in attempt to have stop order removed and continue the project on land properly zoned for that purpose. They questioned the wisdom in considering rezoning the land and using taxpayer funds to defend this type of litigation. He requested a work session before the Board to discuss this matter and the principle involved.

NATIONAL BOYS' CLUB WEEK

Dale Wells, Executive Director of the Boys' Clubs of Manatee County, Inc., was present for the reading of a proclamation observing National Boys' Club Week and provision for the selection of a boy to serve or observe as an Honorary County Commissioner in connection with that event.

Mr. Fortson moved for the adoption of a Resolution Proclaiming National Boys' Club Week to be observed the week of March 27, 1977 through April 2, 1977 and inviting selection of a member of the DeSoto Branch of Boys Clubs of Manatee County, Inc., to serve and observe as an Honorary County Commissioner at the Board meeting of March 29, 1977. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED S-1-268

BROOKSIDE ADDITION TO WHITFIELD ESTATES
GATEWAY EAST, UNIT 5

Recommendations by Carlos Ugarte, County Engineer to (1) Release bond of \$615,558.00 (Safeco Insurance Company) and accept bond in the amount of \$74,000.00 to cover the cost of uncompleted improvements (sidewalks) in Brookside Addition to Whitfield Estates and (2) Accept streets in Gateway East, Unit 5, for county maintenance, were deferred until March 29, 1977 and referred to the County Attorney for review and comment.

STATE ROAD 55 OVERPASS (BRIDGE DAMAGES)

With reference to a letter from the State Department of Transportation and quotation of \$50,000 as the amount to repair damages to the overpass bridge on State Road 55 (U.S. 301), the Board requested the County Engineer to obtain other estimates on repair.

MULTI-PURPOSE CENTER (COMMUNITY BLOCK GRANT)

Upon being advised by Robert Moon that First Environmental Services Corporation had agreed to accept \$50,000 for the property on which to construct the Multi-Purpose Center under the Community Block Grant, and presentation of agreement executed by First Environmental services, Inc., and recommendation by Mr. Fay to execute the document, motion was made by Mr. Dierks to accept the recommendation. Motion was seconded by Mr. Parrish and carried unanimously.

ZIPPERER ROAD ACCEPTED

Robert Moon submitted affidavits and highway map of Zipperer Road 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. Fortson to accept Zipperer Road (one-half mile mile ease of Lorraine Road off State Road 64) in Sections 26 and 35, Township 34 South, Range 19 East, as a county road. Motion was seconded by Mr. Parrish and carried unanimously.

TRAVEL AUTHORIZED

Motion was made by Mr. Parrish to authorize Tim Mumford to attend a Right-of-Way School to be held in Tampa, March 31 and April 1, 1977, as requested by Mr. Moon. Motion was seconded by Mr. Fortson and carried unanimously.

TRANSIT DEPARTMENT: TROPHIES TO BUS DRIVERS

On behalf of the County Commission Mr. Parrish congratulated the bus drivers in the Manatee County Transit Department who had driven thousands of accident-free miles in 1976 and presented trophies to

<u>James V. McKinley</u>	- 50,000 accident-free miles
<u>Dewayne D. McKibben, Jr.</u>	- 50,000 accident-free miles
<u>Howell J. Tuten</u>	- 35,000 accident-free miles

in recognition of their outstanding records, noting that their names will be included as candidates for National Safety Awards.

TRANSIT DEPARTMENT: HOLIDAYS

Recommendation by Phil Davis, Transit Department, to provide bus service to the public on certain holidays was deferred until the regular meeting of the Board on Tuesday, March 29, 1977.

MANPOWER ADVISORY COUNCIL: MEMBERS APPOINTED

Regis Chapman, Director of the Department of Human Resources, advised that Paul Logan and Robert Fowler had dropped membership on the Manatee County Manpower Advisory Council and submitted recommendations on replacements: Ms. Darlene Andrews and Ms. Delane Ellers.

He requested approval or modification in the CETA Title VI Occupational Summary to change a position at Manatee Opportunity Council from a Clerk Typist at \$2.54 per hour to an Assistant Program Planner at \$4.14 per hour and approval of On-the-Job Training Contracts:

=OJT Contract No. R-31 with Eb's Drafting Service to train one architectural draftsman for period March 21, to September 2, 1977 (amount of contract \$1,152.00)

=OJT Contract No. R-32 with Reasoner's Tropical Nursery to train a nursery worker for period March 22 to May 16, 1977 (amount of contract \$368.00)

Motion was made by Mr. Fortson to accept Mr. Chapman's recommendation for appointment of Ms. Darlene Andrews and Ms. Delane Ellers to the Manpower Advisory Council and requests to approve, ratify and confirm OJT Contracts No. R31 and No. R-32. Motion was seconded by Mr. Parrish and carried unanimously.

CONTRACTS RECORDED R-31
R-32

FLORIDA POWER & LIGHT COMPANY: RATES

John P. Carder, a resident of Highland Shores Subdivision, Ellenton, asked by what authority the Florida Power and Light Company could add a new dimension, known as a franchise charge, to the power bills for areas outside the city limits.

The County Attorney advised that in the past only the people in the

MARCH 22, 1977

(Cont'd)

cities paid the franchise apportionment (Florida Power and Light Company franchises with cities), but recently the Public Service Commission ruled that everybody in the service area must pay a share and has just appeared on power bills for other than city residents. The County receives no monies. This is the way the state regulatory agency has decided those franchise charges must be collected - throughout the whole district as part of the general overhead of the utility company. (Funds continue to go to the cities.)

Upon question, he added that this has been litigated for several years and there have been public hearings and trials statewide as this is not just in Manatee County.

TRANSIT SYSTEM - MAINTENANCE BUILDING

The Deputy Clerk read a letter from the County Engineer advising that the bill approved on March 8, 1977 to Lester A. Green, on construction of the Transit System bus maintenance building, included \$21,175.00 for the metal building which was delivered and wrecked by the subcontractor. Subsequent to date of approval it was discovered that the metal building does not conform to the county's standards and this amount should be deducted from the progress payment. The amount of \$23,638.84 should be approved for payment rather than the amount of \$42,696.31 approved on March 8th.

Motion was made by Mr. Fortson to rescind action of March 8, 1977 in approving payment of \$42,696.31 to Lester A. Green and to approve the correct amount of \$23,638.84 to the contractor. Motion was seconded by Mr. Dierks and carried unanimously.

BUDGET AMENDMENTS

Mr. Fortson moved for the adoption of Resolutions authorizing Budget Amendments by item to item transfers as follows:

- | | | | | |
|----|---|----|------------------|-----------------------------|
| 1) | <u>Agriculture Department</u> | | | |
| | From Office Supplies | \$ | <u>500.00</u> | |
| | To Office Equipment | | <u>500.00</u> | |
| | | | | RESOLUTION RECORDED S-1-269 |
| 2) | <u>Erosion Control</u> | | | |
| | From Erosion Construction | | <u>23,000.00</u> | |
| | To Dredging Longboat Pass | | <u>23,000.00</u> | |
| | | | | RESOLUTION RECORDED S-1-270 |
| 3) | <u>Line Items</u> | | | |
| | From Communications States Attorney | | <u>1,000.00</u> | |
| | To Utilities States Attorney | | <u>1,000.00</u> | |
| | | | | RESOLUTION RECORDED S-1-271 |
| 4) | <u>Human Resources Department</u> | | | |
| | From Personnel Actions | | <u>704.00</u> | |
| | To Salaries | | <u>704.00</u> | |
| | | | | RESOLUTION RECORDED S-1-272 |
| 5) | <u>General Revenue</u> | | | |
| | From Personnel Actions: Agri. Dept.,
Emergency Med. Ser., Custodian,
Insurance, Motor Pool, MVI #1,
MVI #2, Life Guards, Parks & Recr.,
Personnel, Planning, Purchasing,
Transit, Welfare; | | | |
| | Salaries: Line Items (4) | | <u>30,076.40</u> | (total) |
| | To Salaries: Agri. EMS, Custodian,
Drainage, Motor Pool, MVI #1 & #2,
Life Guards, Parks & Recr., Personnel,
Planning, Purchasing, Transit, Welfare,
Insurance | | <u>30,076.40</u> | (total) |
| | | | | RESOLUTION RECORDED S-1-273 |

MARCH 22, 1977

(Cont'd)

6)	<u>Highway Department</u>			
	From Personnel Actions (6 items)	\$13,172.00		
	To Salaries (6 items)	<u>13,172.00</u>	RESOLUTION RECORDED	S-1-274
7)	<u>Right of Way Department</u>			
	From Personnel Actions	1,574.00		
	To Salaries	<u>1,574.00</u>	RESOLUTION RECORDED	S-1-275
8)	<u>Library Department</u>			
	From Personnel Actions: Talking Books, Score, Operating	2,857.90		
	To Salaries: Talking Books, Score, Operating	<u>2,857.90</u>	RESOLUTION RECORDED	S-1-276
9)	<u>Line Items</u>			
	From Reserve for Contingencies	3,000.00		
	To Rent- Health Department	<u>3,000.00</u>	RESOLUTION RECORDED	S-1-277

Motion was seconded by Mr. Dierks and carried unanimously.

BONDS

Motion was made by Mr. Fortson to approve the bonds for

Moving & Alteration of Building

R. E. JOHNSON & SON for
Jack Eubank, owner
Pre-Moving No. 9637

\$2,000 Safeco Ins. Co.

Driveway Permit No. 2881

HARRY FALCK

Cash Bond and Money Order \$85.00

and refer letter from Central Plaza Bank & Trust Company regarding payment of \$50,000 for principal and \$101,256.25 for interest on Manatee County General Obligation Library Bond to the County Attorney for review. Motion was seconded by Mr. Parrish and carried unanimously.

BILLS FOR PAYMENT

Upon motion by Mr. Fortson, seconded by Mr. Parrish, the following bills were unanimously approved for payment:

Manatee Memorial Hospital	\$	37.50
Jack Robbins		15.00; \$10.00
Mann, Fay & Price		312.50

WARRANT LISTS

Motion was made by Mr. Fortson to approve Warrant Lists from March 15 to March 22, 1977 and to authorize Warrant Lists to March 29, 1977, 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. Parrish and carried unanimously.

CONSTRUCTION TRUST FUNDS

Upon motion by Mr. Fortson, seconded by Mr. Parrish, Resolution was unanimously adopted authorizing payment from

PROJECT CONSTRUCTION TRUST FUND ACCOUNT - STATE LOAN #2

Payment No. 11

Scott Cole Mechanical Constr. Co. and Ethyl Corp.	\$	3,694.51
Scott Cole Mechanical Constr. Co., and U. S. Foundry		6,206.20
Scott Cole Mechanical Constr. Co.		99,607.05

MARCH 22, 1977

(Cont'd)

Lanzo Construction Company, Inc.	\$497,279.00	
Ardaman & Associates, Inc.	22.00	
Russell & Axon	15,639.32	
Mann, Fay and Price	825.00	
Robert Fouse and Helen Fouse	6,300.00	
MCUS General Control	12,681.57	
MCUS 24.4 Revenue Acct.	1,403.25	
	RESOLUTION RECORDED	S-1-278

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

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 D-49

Russell & Axon

13,158.48;

4,368.00;

2,138.46;

731.03;

182.52 ;

541.51

Mann, Fay and Price

RESOLUTION RECORDED S-1-279

\$24.4 SEWER REVENUE BONDS: PURCHASE & CANCELLATION

Mr. Fortson moved for the adoption of a Resolution Confirming Purchase of Certain Sewer Revenue and Assessment Bonds, Series 1971, and Directing Cancellation Thereof (Term bonds by Ellis First National Bank in face amount of \$5,000 and each having Coupons No. 12, dated 9/1/77 through and including 80 dated 9/1/2011 attached thereto, and numbered 3576 through 3615, inclusive; 3864 through 3883 inclusive, in total face amount of \$300,000). Motion was seconded by Mr. Parrish and carried unanimously.

RESOLUTION RECORDED S-1-280

LIBRARY: CLERK OF THE WORKS

Mr. Dierks recommended and moved to approve payment of bill from Douglas E. Croll, architect, in the amount of \$248.40 as reimbursement for salary of Clerk of the Works on the Library building for the month of January and through February 11, 1977. Motion was seconded by Mr. Parrish and carried unanimously.

SIMANONOK: HEALTH DEPARTMENT ABATEMENT RULES (SEWER)

As a matter of information Mr. Fay reported that suit by the Pollution Control Board against Joseph Simanonok on Health Department Abatement Rules, saying he has to hook up to the Central Sewerage System, was being held in abeyance by the Judge pending filing of information, etc., by his attorney. In the meantime, Mr. Simanonok has not been paying his sewerage assessment, and at the request of Manatee County Utilities System he had written a collection type letter requesting payment of the delinquent account; that in response he had been notified that the letter had been turned over to the State's Attorney and the Sheriff was making investigation to determine if it was a threatening letter, etc.

PRIVATE STREET NO. 26 (LYMAN)

Mr. Fay referred to Board action of January 25, 1977 in approving Private Street No. 26 for Robert Lyman, 4515 - 26th Avenue West, stating that there was no documentation of ownership of the easement being requested for approval, and that he had not prepared the appropriate Resolution because Mr. Lyman does not have any documented right to the easement.

INSURANCE: COUNTY EMPLOYEES

Westwood Fletcher reported that at the time of notification of increase in the major medical and health coverage of county employees, a committee (L. H. Fortson, Jr., Martin Williams and Mr. Fletcher) had sought the advice and guidance of representatives of local

insurance companies and they had agreed to serve on two panels, at no cost to the County, to review the policies and loss histories of all the County Constitutional offices, including those under the direct supervision of this Board and the Port Authority, and submit recommendations and directions on how to proceed. The committee recommended that the Board approve letters to be sent to each of the twelve local insurance people, who have agreed to serve on the panels, advising them of their appointments and providing them with a "To Whom It May Concern" type letter designating them as temporary Agents of Record for Manatee County specifically for the purpose of looking into these insurance problems.

(Panel - General Liability, Fire and Casualty Insurance: Stewart Gregory, Jan Smith, Gene Jefferson, Charles Wooten, Jimmy Moore, Jr., Warren Pearson and Jack Waters.
Panel - Major Medical and Group Insurance: Bert Varnadore, Jack Zickafoos, Edward Kercher, Gene Cloud and "Bud" Hoover.)

Motion was made by Mr. Parrish to accept the recommendations as outlined by Mr. Fletcher. Motion was seconded by Mr. Fortson and carried unanimously. *

TRAVEL AUTHORIZATION: WATER SIMINAR

Motion was made by Mr. Parrish to authorize appropriate department heads to attend a Water Use and Management Seminar to be held in Lakeland, Florida on March 24, 1977. (Suggested Charles Carrington, Richard Aalberg, O. E. Randle, Jerry West, Chris Angelidis and Dr. Ambrusko) Motion was seconded by Mr. Fortson and carried unanimously.

PERSONNEL: CONSOLIDATION SHEETS

Westwood Fletcher submitted and requested approval of previously coordinated personnel (consolidated) sheets and authorization for the Vice Chairman to execute the documents with the following additions: Authority to Travel - Louis Driggers to Washington; C. Carrington, R. Aalberg, O. Randle, J. West, C. Angelidis and Dr. Ambrusko to Lakeland.

Motion was made by Mr. Fortson that the Consolidated Personnel Sheets be approved as amended and that the Chairman or Vice Chairman be authorized to execute the documents. Motion was seconded by Mr. Parrish and carried unanimously.

PERSONNEL: MANNING LEVELS AMENDED

Upon motion by Mr. Dierks, seconded by Mr. Parrish, Resolutions were unanimously adopted Authorizing Manning Levels, By Job Classifications, for Departments Under the Direct Supervision of the Board of County to be amended as follows:

<u>Welfare Department</u>	Classification Department	
Social Worker	From 1 to 2	From 3 to 4
	RESOLUTION RECORDED S-5-	
<u>Right of Way Department</u>		
Office Manager	From 0 to 1	
Secretary III	From 1 to 0	
Engineering Technician II	From 0 to 2	
Engineering Technician I	From 3 to 2	From 9 to 10
<u>Highway & Engineering Department</u>		
Engineering Technician II	From 6 to 7	
Engineering Technician I	From 6 to 5	
	RESOLUTION RECORDED S-5-	

*The Vice Chairman stated that if there were no objections it would be incorporated into this motion that these individuals are appointed to the Insurance panels and authorized to take this action and they will not be held liable financially for any recommendations they will make to the Board. There were no objections.

MARCH 22, 1977

(Cont'd)

201 PLANNING PROJECT: NORTH MANATEE COUNTY

The Vice Chairman acknowledged a letter from the Atlanta office of Environmental Protection Agency indicating that grant of \$67,500 is offered for the 201 Planning Project for North Manatee County.

MENTAL HEALTH BOARD, HILLSBOROUGH-MANATEE DISTRICT
RESIGNATION/APPOINTMENT - MEMBER

By letter dated February 24, 1977, Paul Ridgill tendered his resignation as a member of the Hillsborough-Manatee District Mental Health Board. Motion was made by Mr. Fortson to accept this resignation with regret. Motion was seconded by Mr. Parrish and carried unanimously.

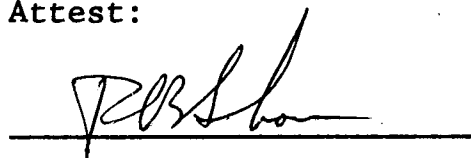
Motion was made by Mr. Fortson that Ms. Marge Kinnan be appointed to the Hillsborough-Manatee District Mental Health Board to fill the unexpired term of Paul Ridgill. Motion was seconded by Mr. Parrish and carried unanimously.

MEETING ADJOURNED

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

5/17/77

Attest:



APPROVED:



Vice Chairman