

JULY 5, 1977

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION, in the Courthouse in Bradenton, Florida, on Tuesday, July 5, 1977 at 9:10 a.m.

Present were Commissioners:
Louis E. Driggers, Chairman
Lamar S. Parrish
L. H. Fortson, Jr.
Kenneth D. Dierks

Also present:
John D. Sands, Deputy Clerk
E. N. Fay Jr., County Attorney

Commissioner Dan P. McClure was absent

The Chairman called the meeting to order.

INVOCATION

Invocation was given by Commissioner Parrish.

LIBRARY

A brief progress report on Construction of the Library Building was given by Commissioner Dierks.

PROJECT NO. 759 - 27TH STREET WEST

The County Engineer requested permission to advertise for bids to pave 27th Street West, from 33rd Avenue West to the dead end, stating that this is No. 1 priority on participation projects list. (Project No. 759).

Motion was made by Mr. Fortson to authorize advertising for bids on participation project #759. Motion was seconded by Mr. Dierks and carried unanimously.

TRAVEL AUTHORITY: HIGHWAY

Motion was made by Mr. Parrish to authorize Bob Piero and Herman White to travel to Orlando July 8, 1977, to attend one day seminar on Storm Water Retention. Motion was seconded by Mr. Fortson and carried unanimously.

BLANCHE DAUGHTERY ELEMENTARY SCHOOL - FLASHING LIGHTS

Mr. Parrish reported that the flashing lights purchased by PTA for Blanche Daughtrey Elementary School have been received, but the switch boxes have not been received. Installation is anticipated within next couple weeks.

PURCHASING DEPARTMENT

William Mullon, Purchasing Director, submitted requests and recommendations outlined in his letter to the Board dated July 1, 1977, as follows:

Parks & Recreation Department

1. Used Winch Truck - defer
2. Bradenton Beach Pier (Bid No. 77-73) - defer

Civil Defense Department/Highway Department

3. Surplus Tractor
Advertise for bids to sell (will obtain release from State Civil Defense prior to doing so).
6. Surplus Automotive Equipment (Bid No. 77-92)
Award to high bidders:
Asset No. 6-45 Crane, Crawler T9-1942
Midway Used Auto Parts - \$192.50
Asset No. 6-22 Truck, forklift, tow motor
R & R Salvage - 207.50

Motor Pool Department

4. Overhead Garage Doors - Defer

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Planning & Development Department

5. Base Unit Transceiver (Bid No. 77-88A)
Award to low bidder meeting specification -
Motorola: \$1525.30

Library System

7. Visible Records System
Advertise for bids (operational budget)
8. Various County Department (Not shown on letter)
Steel Goods, i.e.: shovels, hoes, rakes, etc
Request after-the-fact approval of issuance of Purchase
Order 04243 to Hughes Supply in the amount of \$3,566.96.

Mr. Mullon explained that the Purchasing Department was advised that steel goods would undergo a 15 percent price increase on July 1, 1977, and by placing a consolidated order for total estimated requirements, a savings of approximately 25 percent could be accomplished.

Motion was made by Mr. Dierks to approve Items 3, 5, 6, 7, & 8 and other items be deferred as recommended. Motion was seconded by Mr. Parrish and carried unanimously.

PROPERTY APPRAISER: BUDGET APPROVED

Motion was made by Mr. Fortson to approve the Budget of the Property Appraiser, as amended. Motion was seconded by Mr. Dierks and carried unanimously.

GRANTS DEVELOPMENT DEPARTMENT - CONTRACTS

Regis Chapman, Director, Grants Development Department, submitted requests and recommendations as outlined in his letter dated July 5, 1977, as follows:

- (1) On-the-Job Training Contract R-61 with Sarasota-Bradenton Airport to train Personnel Manager during July 1, 1977 through April 6, 1978,: \$2,707.27
- (2) Vocational Education Agreement for CETA I, Section 112 Non-Financial Agreement with the State Department of Education during October 1, 1977 to September 30, 1978: \$70,000.00.
- (3) Four CETA VI Projects to be operated through Non-Financial Agreements with listed agencies:
- | | |
|---------------------------------------|--------------|
| #61 - Division of Forestry | \$ 26,245.48 |
| #71 - Manatee County Utilities System | 304,625.00 |
| #74 - Manatee County Sheriff | 30,496.00 |
| #76 - City of Palmetto | 44,200.00 |
- authorize the Chairman to execute
- (4) Applications to U.S. Department of Commerce, EDA for funding under Round II of Public Works Capital Development and Investment Program:
- | | |
|--|--------------|
| (1) Wharf Extension Project (Resubmission) | \$350,000.00 |
| (2) Construction of Roads (New Submission) | 256,000.00 |
- and stated he would submit items 5 through 8 later.

Motion was made by Mr. Fortson that items 1 through 4, outlined in letter dated July 5, 1977, be approved. Motion seconded by Mr. Dierks and carried unanimously.

43RD STREET WEST: PURCHASE OF R/W

Motion was made by Mr. Fortson that Parcel #2.1, right of way property for 43rd Street West be approved for settlement with Jay and Sheila Tepper at a gross of \$1200. The motion was seconded by Mr. Parrish and carried unanimously.

63RD STREET WEST: RIGHT OF WAY

The Right of Way Agent advised the Board that the owner of a parcel of land along 63rd had decided not to sell the property to the

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County and the \$21,500 previously (6-28-77) transferred from Contingency Fund to Right of Way Purchase was no longer necessary.

Motion was made by Mr. Fortson to rescind action taken June 28, 1977 transferring \$21,500 from Contingency to Right of Way Purchase. Motion was seconded by Mr. Dierks and carried unanimously.

LOT CLEARING

Public Hearing was declared open for purpose of considering Lot Clearing Petition:

LC-1118 Richard Lisch - alleging that property owned by Milton Stultz had not been cleared in accordance with requirements of Chapter 69-1284 Laws of Florida, Special Acts of 1969.

There was no one present to speak either for or against LC-1118 and the public hearing was declared closed.

Motion was made by Mr. Fortson to adopt a resolution determining that the property owner had not complied with the lot clearing law and demanding that corrective action be taken with regard to clearing the land. Motion was seconded by Mr. Parrish and carried unanimously.

RESOLUTION RECORDED S-2-141

CONSTRUCTION TRUST FUND

Motion was made by Mr. Fortson to adopt resolution authorizing Inter City National Bank, as Trustee for the \$11.650 Construction Trust Fund, to reinvest \$300,000 in a 90-day Certificate of Deposit at 5.5 percent with the Palmetto Bank & Trust Company. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED S-2-142

EASEMENT ACCEPTED (PETRILLA)

Motion was made by Mr. Fortson to accept easement from Joseph A. and Martha M. Petrilla for Manatee County Utilities System. Motion was seconded by Mr. Dierks and carried unanimously.

✓ PERSONNEL - CONSOLIDATION SHEETS

Westwood Fletcher, Personnel Director, submitted and requested approval of previously coordinated Personnel (Consolidation) Sheets and authorization for the Chairman to execute the documents with the following modifications:

Add: Transfer of Daniel Bullington, CETA, Boys Club @ \$2.30 an hour to Parks and Recreation @ \$2.69 an hour, Groundskeeper I position, CETA VI.

Motion was made by Mr. Fortson that Consolidation Sheets be approved and executed as amended. Motion was seconded by Mr. Parrish and carried unanimously.

AGRICULTURE RESEARCH & EDUCATION CENTER: FEE WAIVER

Motion was made by Mr. Fortson that Permit Fees for the construction of the Agricultural Research and Education Center at 5007 60th Street East be waived. Motion was seconded by Mr. Parrish and carried unanimously.

HOUSING AUTHORITY - PROGRAM ENDORSED

Henry Georgowiz, representing the Manatee County Housing Authority was present to request the Board's endorsement of an application for housing assistance for sixty (60) units under Section 8, Existing Housing Program.

Motion was made by Mr. Fortson that the request be approved and the Chairman be authorized to write a letter to the Housing and Urban Development office and advise them there was no objection from members of the Board to the application. Motion was seconded by Mr. Parrish and carried unanimously.

Upon question from the County Attorney as to whether he should make his services as County Attorney available to the Manatee

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County Housing Authority, it was the concensus of opinion of the Board that he should continue to do so.

MEDICAL EXAMINERS PROGRAM: AGREEMENT

The County Attorney submitted a proposed Agreement for Medical Examiners Program by and between the State of Florida, Department of Health and Rehabilitative Services and Manatee County, to become effective July 1, 1977 through June 30, 1978. He explained that this is the standard agreement between the State Health Department and the County as a result of the mandated Medical Examiner Services Program.

Motion was made by Mr. Fortson that the Chairman be authorized to sign the Agreement. Motion was seconded by Mr. Dierks and carried unanimously.

✓AGREEMENT RECORDED S-2-143

BUDGET AMENDMENTS

Motion was made by Mr. Parrish to adopt resolutions authorizing amendments of departmental budgets by item to item transfers as follows:

- | | | | |
|----|--|-------------|--------------------------------------|
| 1) | <u>Land Acquisition</u> | | |
| | From Other Personal Services; Reserve for Cont.; | | |
| | To Right of Way Salaries; Purchase of R/W | \$22,000.00 | |
| | | | ✓ <u>RESOLUTION RECORDED S-2-144</u> |
| 2) | <u>Line Items</u> | | |
| | From Reserve for Contingencies | | |
| | To Chamber of Commerce | 5,000.00 | |
| | | | ✓ <u>RESOLUTION RECORDED S-2-145</u> |
| 3) | From Reserve for Contingencies | | |
| | To TBRPC LEAA Match | 2,222.00 | |
| | | | ✓ <u>RESOLUTION RECORDED S-2-146</u> |
| 4) | <u>Probations Department</u> | | |
| | From Reserve for Contingencies | | |
| | To Salaries-LEAA; SS; Retirement, Insurance | | |
| | Travel and Equipment | 722.00 | |
| | | | ✓ <u>RESOLUTION RECORDED S-2-147</u> |

and to amend the budget for receipt and expenditure of unanticipated revenues as follows:

- | | | | |
|----|--|-----------|--------------------------------------|
| 5) | <u>Parks, Beach & Recreation Department</u> | | |
| | Increase Revenue: CSA Grant | | |
| | Increase Expenditures: - Salaries CSA; Materials | | |
| | CSA; Travel CSA | 3,910.00 | |
| | | | ✓ <u>RESOLUTION RECORDED S-2-148</u> |
| 6) | <u>Probations Department</u> | | |
| | Increase Revenue: Probation-LEAA Grant; LEAA Match | | |
| | Expenditure - LEAA Grant Salaries, SS, Retirement | | |
| | Insurance Travel and | | |
| | Equipment | 13,722.00 | |
| | | | ✓ <u>RESOLUTION RECORDED S-2-149</u> |

Motion was seconded by Mr. Fortson and carried unanimously.

BONDS: LAMBETH ACRES; HOUSEMOVING

Motion was made by Mr. Dierks to approve Bonds

<u>Moving & Alteration of Buildings</u>	
ROWE A. MEADE	\$1500 Auto Owners Ins.
For: F. McLeod	Pre-moving #11200
R. E. JOHNSON & SON	\$2500 Safeco Ins.
For: Ella F. Harllee	Pre-moving #11126

and release Performance Bond on

<u>LAMBETH ACRES SUBDIVISION</u>	
To: Virginia S. Lambeth	\$15,510.00

Motion was seconded by Mr. Parrish and carried unanimously.

BILLS FOR PAYMENT

John D. Sands, Deputy Clerk, submitted bills for approval as follows:

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Mann, Fay & Price	\$2699.98
Mental Health Center	70.00
Drapery Liners (Courthouse Annex #1)	314.00
Sales & Use Tax (Golf Course)	1242.80
Refund: Denise Spearman	90.00
Manatee Memorial Hospital	49.25
Welfare Dept (Hospital Care)	3512.27
Welfare Dept (OB Clinic)	700.00

Mr. Sands was instructed by the Board to charge the \$314.00 for drapery liners for the Courthouse Annex to the Former First City Federal Building Fund.

Motion was made by Mr. Fortson that the bills be paid, as outlined. Motion was seconded by Mr. Parrish and carried unanimously.

WARRANT LISTS

Motion was made by Mr. Dierks to approve Warrant Lists from June 28, 1977 to July 5, 1977 and to authorize Warrant Lists to July 12, 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. Fortson and carried unanimously.

PROCLAMATION: "BABY SNOOTS DAY"

Motion was made by Mr. Parrish that resolution be adopted proclaiming July 23, 1977 as "Baby Snoots Day". Motion was seconded by Mr. Fortson and carried unanimously.

RESOLUTION RECORDED S-2-150

CORRESPONDENCE

Correspondence was acknowledged and/or read from:

- 1) Town of Longboat Key, Re: Resolution No. 77-27 concerning ban on use of water.
- 2) Manatee County Safety Council (To: James Hackle) Re: Speed limits, stop signs, etc., in Riverdale Subdivision.
- 3) Peter Kries, District Administrator of Health & Rehabilitative Services District 6, Re: Alternatives to designating of TBRPC as administrator of aging programs for Hillsborough and Manatee Counties.

HEALTH & REHABILITATIVE SERVICES, DISTRICT 6

Motion was made by Mr. Fortson that the Chairman be authorized to write a letter to Mr. Kries stating that the Board has no objections to the Administrator of HRS District 6 reviewing further alternative methods to handling the aging programs. Motion was seconded by Mr. Parrish and carried unanimously.

RECESS/RECONVENE

Following a short recess, the meeting continued with all the members present except Mr. McClure.

63RD STREET WEST - PRIOR BUDGET ACTION REINSTATED

Bob Moon, Right of Way Agent, referred to action taken earlier in the meeting to rescind action of June 28, 1977 in regard to budget amendment for acquisition of right of way property on 63rd Street West. He stated that the owner of the property had decided to accept settlement of \$21,000 requested funds be made available for this transaction.

Motion was made by Mr. Fortson to set aside action taken earlier this morning and to adopt resolution transferring \$21,500 from Reserve for Contingencies to Right of Way Purchase. Motion was seconded by Mr. Dierks and carried unanimously.

ZONING

Charles Carrington, Planning Director, presented recommendations

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of the Planning Commission and the Planning Department.

SE-1020 WILLIAM & MARY HAMSTRA - DAY CARE CENTER - DENIED
(C. A. Lioce, Agent) Request: Special Exception to permit children's day care nursery at 3825 26th Street West. (deferred 6/28/77)

Mr. Driggers stated he had viewed the site and concurred with recommendations of the Planning Commission and the Highway Department that the request be denied.

Motion was made by Mr. Fortson that, based on recommendation of the Chairman, SE-1020 be denied. Motion was seconded by Mr. Parrish and carried unanimously.

R-827 CURTIS J. HUGHES, ET AL - APPROVED
(Thomas Gallen, Agent) Request: To change present zoning from -A- to T-1. For expansion of Terra Siesta Mobile Home Park (Ellenton). This item was deferred from meeting of 6/28/77 to allow applicant to resolve problems in connection with a resident being surrounded by mobilehomes if application were approved.

Mr. Carrington stated that the applicant has agreed to exclude lots Nos 12 and 13 from the application allowing them to remain agricultural. This would give Mr. Claude Gilbert (the surrounded resident) a 50 foot buffer zone on the north and west sides with two agricultural lots on the east side and he agreed to this arrangement.

Motion was made by Mr. Parrish to approve R-827 as amended and adopt the appropriate resolution. Motion was seconded by Mr. Dierks and carried unanimously.

HOUSEMOVING PERMIT (BOYD)

The Planning Director submitted Housemoving Permit application, from Robert Johnson - Mover, for Wilbur Boyd, owner, to move a building from 2nd Avenue in Parrish to 3 miles south of Parrish and one mile east of Ft. Hamer. stating a \$10,000 bond would be required. He read into the record a letter from the Plans Examiner in the Department of Planning, recommending termite treatment by a licensed pest control company.

Motion was made by Mr. Parrish that Housemoving Permit be approved with the posting of the appropriate bond. Motion was seconded by Mr. Dierks and carried unanimously.

EARTHMOVING PERMIT (MCDONALD)

Upon motion by Mr. Parrish, seconded by Mr. Fortson, the Board unanimously approved Earthmoving Permit No. 21 for Melvin McDonald to build a 40 x 100 foot pond on approximately ten acres of land just north of Myakka City.

SHERIFF DEPARTMENT: PRISONER GAIN TIME

The County Attorney referred to a letter from Sheriff Tom Burton dated June 27, 1977, recommending Silas Dowdell, prisoner, be awarded 45 days gain time and released July 5, 1977.

The proposed release date of July 3, 1977 having already passed, the County Attorney recommended the prisoner be granted 43 days gaintime and released July 5, 1977.

Motion was made by Mr. Fortson that 43 days gain time be approved for Silas Dowdell. Motion was seconded by Mr. Dierks and carried unanimously.

RECESS

The Chairman declared the Board in recess until 1:30 p.m.

1:30 p.m.

The meeting was reconvened at 1:30 p.m. with all the Commissioners present except Mr. McClure.

ZONINGSE-879

Reconsideration of SE-879, Roskamp, Veltman and DeVries in connection with an alleged misuse of the Special Exception was brought before the Board and a tape of the Planning Commission hearing on March 20, 1974 at which the Special Exception petition was recommended for approval was replayed at this time.

Upon conclusion of the tape, Chairman Driggers stated that he had a letter from Mrs. Helen Blue, member of the Gulf Coast Health Planning Council, which had been presented to the Gulf Coast Planning Council meeting in June 1976, in which the applicant is referred to as the "Community Care Center, Ltd, Deerfield, Illinois; the project as the Capital Expenditure of \$1,628,000 to construct a 120 bed Immediate Care Facilities for Mentally Retarded Adults in Bradenton".

The Planning Director stated that he considered this a change in intended use from the original application and recommended the Special Exception application be referred back to the Planning Commission for reconsideration with the new use as the proposed use, then for recommendation to the Board under this category. In the meantime, he recommended a stay be ordered on the building permit, subject to the opinion of the County Attorney as to legality.

The County Attorney concurred with the Planning Director, if the language of the permit precludes the new use.

Motion was made by Mr. Dierks to refer SE-879 back to the Planning Commission for recommendation back to the Board. Motion was seconded by Mr. Fortson for discussion.

Lengthy discussion followed and some of those speaking from the audience in opposition to the facilities for the mentally retarded were:

Dixie Grubbs, President, Manatee Retarded Citizens Association
John Lewis, Florida Coast Health Assistance Agency
Linda O'Brien, who works with John Lewis
Bob Rhodes, Program Supervisor for District 6 Mentally Retarded
Chuck Brown, adjacent property owner

John Lewis stated that Helen Blue's letter contained all the requirements to be considered a legal document pertaining to a change in the intended use of the Special Exception.

Mr. Dierks withdrew his motion and Mr. Fortson withdrew his second.

Mr. Fortson made a motion that the document presented to the Board be referred to the County Attorney for review and recommendation to the Board on Thursday. Motion was seconded by Mr. Dierks and carried unanimously.

(Mr. Dierks left the meeting)

GRANTS DEVELOPMENT DEPARTMENT

Regis Chapman, Director, Grants Development Department, returned to present item 5, 6, 7, and 8, of his letter dated July 5, 1977, for approval as follows:

- (5) Modification #702 to Title VI Grant, in the amount of \$2,706,125 to obligate the new base allocation to a new level of \$7,023,048
- (6) Modification #703 to Title VI Grant, in the amount of \$258,878 to obligate the Discretionary funds to a new Grant level of \$4,308,926
- (7) Modification #705 to Title II Grant, in the amount of \$357,091 to obligate the new base allocation to a new

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- Grant level of \$1,770,693
(8) Modification #706 to Title II Grant, in the amount of \$153,007 to obligate the Discretionary funds to a new Grant level of \$1,923,700.

Motion was made by Mr. Fortson that items 5 through 8 of Mr. Chapman's letter dated July 5, 1977 be approved. Motion was seconded by Mr. Parrish and carried unanimously.

MEETING ADJOURNED

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

Attest:

APPROVED:



Clerk



Chairman