

JULY 7, 1977

The Board of County Commissioners of Manatee County, Florida, met in SPECIAL SESSION in the Court House in Bradenton, Florida, Thursday, July 7, 1977 at 9:15 A. M.

Present were Commissioners:

Louis E. Driggers, Chairman  
Lamar S. Parrish  
L. H. Fortson, Jr.,

Also present were

E. N. Fay, Jr., County Attorney  
John Sands, Deputy Clerk

Absent: Commissioners Dan P. McClure and Kenneth D. Dierks.

The meeting was called to order by Chairman Driggers.

PURCHASING

William Mullan, Purchasing Director, submitted tabulation of bids received on furnishing parts, labor, etc., for repairing Asset No. 9-21, American Crane Crawler, as follows:

Brown Machine Company	\$ 7,803.08
M. D. Moody & Sons, Inc.	14,181.00
Crawler Rail & Roller Company	8,391.76
Crawler Tractor Service	8,422.01
Florida Equipment & Service	8,999.80

and recommended award of bid to BROWN MACHINE COMPANY.

Motion was made by Mr. Parrish to accept bid of BROWN MACHINE COMPANY, in the amount of \$7,803.08 as recommended. Motion was seconded by Mr. Fortson and carried unanimously.

CONSTRUCTION TRUST FUND

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 B-104

Gladys S. Dickinson

\$1,000.00

RESOLUTION RECORDED ✓ S-2-151

\$24.4M SEWER REVENUE & ASSESSMENT BONDS

The County Attorney read a proposed Resolution of the Board of County Commissioners of Manatee County, Florida, Directing the Trustee of the Special Assessment Fund to Publish a Notice Calling for Tenders of the Sewer Revenue and Assessment Bonds, Series 1971, Maturing in the Year 2011 (tenders to be received by Ellis First National Bank of Bradenton, as Trustee for \$24,000,000 Special Assessment Fund, before 12:00 Noon, EDT, August 1, 1977).

Mr. Fortson moved for the adoption of the Resolution directing the Trustee for the Special Assessment Fund to publish invitation for tenders for bonds maturing in the year 2011.. Motion was seconded by Mr. Parrish and carried unanimously.

RESOLUTION RECORDED S-2-152

PERSONNEL: CONSOLIDATION SHEET

Upon recommendation by Mr. Fletcher, motion was made by Mr. Fortson to approve Personnel Consolidation Sheet placing an OPS employee on county payroll (New Hires) and authorize execution by the Chairman. Motion was seconded by Mr. Parrish and carried unanimously.

POSTAGE METER MAINTENANCE AGREEMENT

Motion was made by Mr. Fortson to approve and authorize the Chairman to execute modified maintenance agreement with Pitney-Bowes on the rental postage meter in the mail distribution center. (Meter head changed to permit postage to \$5.00) Motion was seconded by Mr. Parrish and carried unanimously.

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(Cont'd)

BILLS FOR PAYMENT

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

Mann, Fay & Price	\$1,137.50
	4,360.62

I-75: RECREATION AREA REAFFIRMED

Chairman Driggers reported on a meeting with Department of Transportation officials in Bartow and reference to a resolution adopted by this Board in 1971 concerning a recreational area where I-75 crosses the Duke and Benedict property (approximately 16 acres) and question if the County intends to proceed according to the resolution.

Motion was made by Mr. Fortson that the Chairman be authorized to advise the Department of Transportation that this Board will not deviate from the Resolution adopted on March 19, 1971 concerning the recreation area. Motion was seconded by Mr. Parrish and carried unanimously.

ZONINGSE-879

The Chairman referred to a subject of discussion at the previous meeting in connection with SE-879 approved for a Nursing Home, and invited representatives of Community Care Center, Ltd., to make presentation regarding changes from a Nursing Home to an Intermediate Care Facility for the Mentally Retarded. He stated for the record that a court reporter was taking minutes of this portion of the meeting.

Representing Community Care Center, Ltd., were:  
Larry Stagg, attorney for the Center, 100 Madison Street, Tampa  
David M. Veltman, 800 Island Way, Clearwater, (petitioner)  
Donald K. DeVries, 320 Shore Road, Venice, builder  
Robert G. Roskamp, Deerfield, Illinois (petitioner)

Mr. Stagg summarized the background from 1974 when the Special Exception was granted, at which time it was petitioners' intent to have a skilled care Nursing Home, noting that various types of nursing homes are permitted in Florida, such as (1) skilled care facility which requires more of a medical nursing type service for people that need good medical care; (2) intermediate care facility which requires less of the medical aspect and more social services-rehabilitation type work; (3) custodial or institutional type facility. Their application was for a skilled care facility, and had they been approved to construct such a facility the primary patients would have been the elderly; however, this requires the approval of a State Community Medical Facilities Board, and had been denied by the State upon recommendation of the local Gulf Coast Health Planning Council. Further Special Exception (extension of time to construct) was granted in 1976 and the program was restructured into an ICFMR (Intermediate Care Facility for the Mentally Retarded), and subsequently the State issued a Certificate of Need for this facility. (Local Gulf Coast committee recommended disapproval; entire Gulf Coast Health Planning Council referred it to the State agency without recommendation.)

He stated his position that his clients have the proper zoning for the ICFMA facility under the Special Exception, and suggested it be left to the Health Agencies to determine whether there is a need for a particular type of facility and that the Board decide the use of the property.

Mr. Fortson pointed out that Mr. Rosscamp, the original applicant in 1974, had never indicated that the Special Exception would be for anything other than a Nursing Home and no presentation was made to the Board of any change in the facility's use; that he would not have been receptive to approving application for a facility for the mentally retarded.

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During his presentation Mr. Roskamp stated that it was their intent to build a Nursing Home, but when State denied Certificate of Need, they explored all avenues for a nursing home facility and decided to apply for ICFMR; that this was well publicized as indicated by newspaper articles during that time; that the building was the same but staff not as large and of different skills.

Chairman Driggers stated the ICFMR was a complete deviation from the Special Exception for a Nursing Home.

Among those present and speaking in favor of approving the location of an ICFMR facility in Manatee County were Robert Hartshorn and Dave McLaughlin, two of the owners of a privately owned facility, Pine Oaks, Mary Jane Bruno and several unidentified individuals in the audience, parents of retarded children, who urged approval of establishment of such a facility in the area.

Dixie Grubbs, executive director of Gulf Coast Mental Health Association, outlined the requirements for this type facility and the difference in Nursing Homes and ICFMR, stating there was not enough land use in this location for parking, recreation, etc., and does not feel that the location is the best.

Jack Lewis, with Gulf Coast Mental Health Association, commented on legislation concerning the licensing of ICFMR facilities.

Henry E. Bourne and Jim Christman, residents of 56th Avenue and 28-29th Street area, objected to the location of the ICFMR facility.

There was lengthy discussion concerning impact on the community because of change of intended use, traffic increase and danger to the residents or patients in the facility in crossing thoroughfares, transportation to training centers, etc.

Copies of various proceedings involving the Gulf Coast Health Planning Council were accepted for the record.

Upon suggestion that the matter be referred to the Planning Commission for the purpose of determining if there is a change in land use and recommendation, it was pointed out that there is a serious time problem inasmuch as construction had begun and legal advertising would be involved, with possibly sixty days delay before this Board could consider. This time frame could be reduced if joint meeting could be held by the Board of County Commissioners and the Planning Commission.

Upon question, Mr. Stagg said they would be willing to cooperate in such a joint hearing and would advise his clients not to proceed with the building during this time. Mr. Roskamp volunteered to cease construction if the hearing could be held in a reasonable time.

JOINT PUBLIC HEARING: BOARD & PLANNING COMMISSION

Motion was made by Mr. Fortson that this Board hold a joint public hearing with the Planning Commission on July 22, 1977 at 9:00 A.M. to reconsider SE-879. Motion was seconded by Mr. Parrish and carried unanimously.

MEETING ADJOURNED

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

Attest:

APPROVED:

  
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Clerk

  
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Chairman