

JULY 26, 1977

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse in Bradenton, Florida, Tuesday, July 26, 1977, at 9:02 a.m.

Present were Commissioners:

Louis E. Driggers, 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

Commissioner Dan P. McClure was absent.

The meeting was called to order by the Chairman.

The invocation was given by Reverend Randall Chase, Chaplain, Manatee Junior College.

TUTTLE AVENUE

Carlos Ugarte, County Engineer, stated that Tuttle Avenue was difficult to maintain and when budget adjustments are made, the Highway Department will request permission to begin paving this street.

PERMIT: PILINGS (CASCO DORADO CONDOMINIUM)

Motion was made by Mr. Fortson to approve application of William Donelson, Manager of Casco Dorado Condominium Association, Inc., for permit to construct pilings for boat docks in Palma Sola Harbor (Permit No. 7736), as recommended by the County Engineer. Motion was seconded by Mr. Dierks and carried unanimously.

ROAD DAMAGE (SEWER CONSTRUCTION)

Mr. Dierks referred to complaints about road damage caused by Utilities Department installing sewer lines and he felt the Highway Department should repair the streets and bill the Utilities Company. He specifically mentioned Pearl Avenue. The County Engineer advised that Pearl Avenue would be repaired.

PARKS AND RECREATION - GOLF COURSE

John Marble, Parks Director, reported that the golf course has been infested with grubs, mole crickets, and nematodes and requested bid procedures be waived and grant authorization to Southern Mill Creek Products to fumigate all golf tees, greens, and fairways at a cost not to exceed \$4200.

Motion was made by Mr. Fortson that bid procedure be waived and Purchasing Director be authorized to obtain two quotes, not to exceed \$4200, on fumigating the golf course. Motion was seconded by Mr. Parrish and carried unanimously.

Mr. Marble was instructed to submit a letter of justification for waiving the bid procedure due to emergency nature of the treatment for the golf course.

BRADENTON BEACH FISHING PIER

The County Attorney, stated that the State of Florida had returned one fully executed copy of the Bradenton Beach Fishing Pier Agreement (Contract between the State of Florida and Manatee County), and recommended it be accepted for the record. He further stated he had no document between County and the City of Bradenton Beach in regard to the fishing pier, and had been advised by Mr. Ryder, with the Department of Natural Resources in Tallahassee, that his office had not received the contract from the City of Bradenton Beach.

Motion was made by Mr. Fortson that the contract with the State Department of Natural Resources be accepted for the record. Motion was seconded by Mr. Parrish and carried unanimously.

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PROBATIONS DEPARTMENT - HIGH RISK CATEGORY

George Moore, Director, County Probations Department, was present in regard to his previous request for Board consideration of reclassification of Probation Officers to High-Risk category to increase retirement benefits from 9 percent to 13 percent.

Motion was made by Mr. Parrish to authorize the Chairman to sign application for High Risk Retirement Reclassification for Probation Officers. Motion was seconded by Mr. Dierks. Voting "Aye" were Commissioner Parrish and Commissioner Dierks. Voting "No" were Chairman Driggers and Commissioner Fortson. The motion failed to carry, with a 2 to 2 vote.

PURCHASING DEPARTMENT

William Mullon, Purchasing Director, submitted requests and recommendations outlined in his letter dated July 22, 1977:

Highway Department

Regarding Legal Notice for Bridge Inspections needed immediately to meet the mandated State deadline, the County Attorney advised that this would be advertised immediately.

Lease/Purchase Agreements - Equipment

Mr. Fay stated he would proceed immediately to develop lease/purchase agreements on Park and Recreation equipment to be used on CETA projects.

Parks & Recreation Department

Regarding Bradenton Beach Pier (Bid No. 77-73), Mr. Mullon stated that the contractor had advised he would submit performance bond today and, at such time, it will be submitted to the Board with request to execute the contract.

Motor Pool Department

Mr. Mullon submitted request from James Clark, Deputy Director of the Motor Pool, for emergency repairs to the dozer (Caterpillar-Asset #7-89), and to authorize Joseph L. Rozier Machinery Company, the only local source of supply, to complete the repairs (estimate \$3200).

Motion was made by Mr. Parrish that the Purchasing Director be authorized to waive bid policy and exercise sole source option for emergency repairs to the dozer. Motion was seconded by Mr. Fortson and carried.

STATE DEPARTMENT OF TRANSPORTATION - I-75

Bob Moon, Right of Way Agent, stated that he had been requested by the State Department of Transportation to schedule a meeting for discussion of I-75 and August 23, 24, or 25 would be acceptable.

The meeting was set for 6:30 p.m. August 23, 1977, in Board Chambers.

PROJECT NO. 1153 (37TH AVENUE WEST)

Mr. Moon submitted petition for improvements on 37th Avenue West from east of 32nd Street to the dead end, and recommended it be accepted as Participation Project. (Qualified with 66.9 percent)

Motion was made by Mr. Fortson that the petition be accepted based on the participation list. (Referred to County Engineer for survey, plans, and estimates.) Motion was seconded by Mr. Parrish and carried unanimously.

FLORIDA HIGHWAY PATROL - SITE FOR COMPLEX

Mr. Moon summarized efforts to obtain suitable site for Florida Highway Patrol's proposed complex and recommended the parcel owned by Mr. Baker (5.6 acres for \$60,000) adjoining the easement recently purchased from him by the County.

The County Attorney advised that the County right-of-condemnation could not be exercised and Mr. Moon was instructed to continue his negotiations and make further recommendation to the Board.

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CONSTRUCTION TRUST FUND

Upon motion by Mr. Fortson, seconded by Mr. Dierks, resolutions were unanimously adopted authorizing payments of:

WATER SYSTEM CONSTRUCTION TRUST FUND

(1) Requisition No. B-106 (11.650)

McMahan Construction Company, Inc.	\$ 4,857.65
Ardaman & Associates, Inc.	197.50
Total	\$ 5,055.16

✓ RESOLUTION RECORDED S-2-170

(2) Requisition No. D-55 (11.650)

Russell & Axon \$23,931.70

✓ RESOLUTION RECORDED S-2-171

(3) Requisition No. B-105

Manatee County Utilities System:	\$ 5,686.14
General Control \$528.98; 13.5 Rev.	
A/C \$3562.17; 13.5 R&R \$1594.99	

✓ RESOLUTION RECORDED S-2-172

SANITARY SEWER PROJECT: PART F, SECTION IV

Motion was made by Mr. Fortson to approve Change Order No. 7 Sanitary Sewer Project 6681-6, Part "F", Section IV with Lanzo Construction Company, to decrease the contract a net amount of \$7,345.75.

Motion was seconded by Mr. Parrish and carried unanimously.

13.5 WATER REVENUE BOND ISSUE, SERIES 1965

Mr. Fay submitted RESOLUTION AUTHORIZING PAYMENT FROM THE RENEWAL AND REPLACEMENT FUND OF THE \$13,500,000 WATER REVENUE BOND ISSUE, SERIES 1965 to the Road and Bridge Fund of the 1976-1977 Budget for Manatee County, Florida, in full payment for acquisition and construction of relocated State Roads No. 64 and No. 675 and installation of pipeline on State Road No. 684.

He also submitted letters from Russell Hawkes, Financial Advisor, and Chris Angelidis, Director of Manatee County Utilities System, stating the Resolution was fitting and proper, and an appraisal by Mr. Moon of property built by MCUS on 17th Avenue West, now being used by Parks and Recreation Department. Mr. Fay recommended the resolution be adopted and these documents accepted into the official record.

Motion was made by Mr. Fortson to adopt Resolution, and accept the letters from Mr. Hawkes and Mr. Angelidis and the appraisal by Mr. Moon into the official record. Motion was seconded by Mr. Parrish and carried unanimously.

✓ RESOLUTION RECORDED S-2-173

BRADENTON CITY AUDITORIUM

Bill Evers, City Councilman, and Ron Larsen, City Engineer, City of Bradenton, were present in connection with proposed renovation of the Bradenton City Auditorium and reported that expert opinion had revealed that the supporting timber arches were basically sound and reparable, if esthetic values were discounted. They requested the County share equally with the City in financing a refined report by Harry Hodson giving the cost analysis of the proposed renovation.

Motion was made by Mr. Fortson to appropriate funds to share half the cost of the refined report, not to exceed a total of \$2500. Motion was seconded by Mr. Parrish. Voting "Aye" were Mr. Fortson, Mr. Parrish, and Mr. Driggers. Mr. Dierks voted "No". Motion carried.

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LIBRARY

Progress Report on the construction on the Central Library Building was submitted by the Resident Project Engineer, Leonard Najjar. He stated the work was progressing satisfactorily and the roof was expected to be completed, and his full-time supervision to end, in approximately three weeks.

PAYMENT OF BILLS

Phil Place, Library Director, submitted bills for payment, as follows:

Progress Payment #15
 Roger B. Hall, Contractor, \$102,038.96
 Croll/Ranon, McIntosh, Bernardo & Ramirez,
 Architects, \$1,408.14

Motion was made by Mr. Fortson to approve the bills for payment. Motion was seconded by Mr. Dierks and carried unanimously.

CHANGE ORDER NO. 7

Mr. Place submitted Change Order No. 7 to the Architects' Plan for a net increase to the contract of \$26,366.50, stating that \$10,869 of this was for redesign of Room No. 248 (History Room).

Motion was made by Mr. Dierks to approve Change Order No. 7, as outlined, with the exception of Item 5.7, Room 248 (History Room). Motion was seconded by Mr. Fortson.

Discussion followed and it was generally agreed that \$10,869 was apparently excessive for alterations in one room. Mr. Dierks withdrew his motion, Mr. Fortson withdrew his second, and action was deferred one week to allow research and review of Change Order No. 7, Item 5.7.

RECESS/RECONVENE

Following a brief recess, the meeting was reconvened. The County Attorney did not return to the meeting.

ZONING

Charles Carrington, Planning Director, and Jerry West, Assistant, submitted recommendations of the Planning Commission.

SE-879 ROSKAMP, VELTMAN & DEVRIES - NURSING HOME - DENIED
 Subsequent to a joint meeting of the Manatee County Commission and the County Planning Commission, on July 22, 1977, the Planning Commission held a special meeting on July 25, 1977, to reconsider SE-879, the Roskamp, Veltman & DeVries application for a Nursing Home and necessary related facilities for 120 patients originally approved on February 17, 1976, with a two year extension to complete 25 percent of construction.

The Planning Commission recommended denial to change SE-879 from the recommended nursing home to an Intermediate Care Facility for Mentally Retarded adults.

Discussion followed and Mr. Fortson stated he did not feel the center for the mentally retarded would be compatible with the surrounding area and was a deviation from the original Special Exception.

Mr. Fortson moved that the recommendation of the Planning Commission be approved. Motion was seconded by Mr. Parrish.

Voting "Aye" were Mr. Fortson, Mr. Parrish, and Mr. Driggers. Mr. Dierks voted "No." Motion carried 3 to 1.

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Mr. Carrington clarified the recommendation of the Planning Commission by explaining that the denial pertained to amending SE-879 to permit the ICFMR; and that the original Special Exception to allow the Nursing Home still stands.

The Board concurred with this clarification.

SE-1016 A. G. WIMPY - EARTHMOVING OPERATION - APPROVED
Harold Whitcomb, Agent) Request: To permit Earthmoving operations on the north side of County Line Road, approximately 3000 feet east of US 301 and approximately 2500 feet west of Tuttle Avenue, on 67.5 acres.

Action was deferred for one week, on July 19th, to allow Chairman Driggers to view the site. He recommended approval as recommended by the Planning Commission.

Planning Commission recommended approval with stipulations; the only one being unresolved is that no earthmoving activities would occur any closer than 400 feet to the property line of Mr. Young (who had appeared in opposition to the application. Applicant requested this be amended to 175 feet.

Amendments to the stipulations were made to allow the earthmoving operations no closer than 200 feet to the property line of Mr. Young and to move Haul Road from east side to the west side of the operation but no closer than 200 feet to the Young property line.

Motion was made by Mr. Fortson to approve SE-1016, as outlined and adopt the appropriate resolution. Motion was seconded by Mr. Parrish and carried unanimously. ZONING
RESOLUTION RECORDED

SE-1016

T-84(F) - TIDEVIEW REPLAT - FINAL PLAT-DEFERRED
(Deferred July 19, 1977, for review by County Attorney.)

Mr. Parrish requested that approval of the final plat be deferred one more week for correction of dirt washing from banks onto the roads. There were no objections and action was deferred one more week.

77-S-15(P) - CAYMAN PARK - DEFERRED
(Deferred July 19, 1977, for one week.)

The Planning Commission requested one more week deferral as the refined Preliminary Plan had not been received.

EARTHMOVING APPLICATION NO. 22 - ELLIOT - APPROVED
Request: Removal of dirt from premises for purposes of building fish pond on 4.8+ acres, approximately one mile south of Erie Road and approximately 645 feet east of US 301, Parrish. Planning Commission recommended Approval.

Motion was made by Mr. Parrish to approve Earthmoving Application No. 22. Motion was seconded by Mr. Dierks and carried unanimously.

PRIVATE STREET NO. 33 - CLARENCE B. POWELL, ET AL - APPROVED
Request: For Private Street 2595 feet in length and 50 feet wide to serve ten parcels; located east side of 24th Avenue East, approximately 2000 feet south of Experimental Farm Road.

Planning Commission recommended approval, with stipulation that applicant comply with the Highway Department Development Standards for Private Roads, and that he reduce the number of new lots to be created to three.

Motion was made by Mr. Parrish that Private Street 33 be approved with the stipulations of the Planning Commission, and subject to review by the County Attorney. (This is not to include paving of the private street.) Motion was seconded by Mr. Fortson and carried unanimously.

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INSURANCE: LIABILITY

Westwood Fletcher, Personnel Director, reported that Liability Insurance on County employees is renewable July 30th, and Employers of Wassau Insurance Company, had, at the County's request, elected to renew at a premium rate of \$99,053. (The premium last year was \$78,396.) He said he had discussed this with a representative of the Insurance Company and was attempting to ascertain if a reduction in the current \$100,000 property liability portion could be reduced to the Statutory requirement, which would reduce the proposed premium, and will report his findings to the Board at a later meeting.

TRANSIT DEPARTMENT: BUS DRIVERS PAY CHANGE

Mr. Fletcher referred to previous Board action (July 12, 1977) at which time bus drivers' hourly work week had been adjusted downward from sixty to forty hours and hourly wages upward from \$2.70 to \$3.50 an hour, with a slight annual decrease in pay.

He explained that in the Clerk's office process, salary changes are implemented in the pay period following Board action and, in this instance, created a problem whereby the newly hired bus drivers would receive an hourly wage at the new rate (\$3.50) while drivers who had been with the system for a long time would receive the old rate (\$2.70) an hour. He said he felt this was not the Intent of the Board, and requested a clarification.

Motion was made by Mr. Parrish to express the Intent of the Board as being to implement the bus drivers' pay change in the pay period in which the authorization was approved. Motion was seconded by Mr. Fortson and carried unanimously.

PERSONNEL - CONSOLIDATION SHEETS

Mr. Fletcher submitted and requested approval of previously coordinated Personnel (Consolidation) Sheets and authorization for the Chairman to execute the documents with the following changes:

G. William Cook, Motor Pool Department, Salary Increase be amended to reflect a ten percent (10%) increase instead of 10.1 percent.

Motion was made by Mr. Parrish to approve Consolidation Sheets and amending G. William Cook's Salary Increase to ten percent (10%). Motion was seconded by Mr. Fortson and carried unanimously.

BILLS FOR PAYMENT

Motion was made by Mr. Fortson to approve bills for payment, as follows:

Refund Sewer Assessment (Mrs. Jensen	\$ 34.78
Leonard Najjar (7/10-7/23/77)	1,975.00
Mann, Fay & Price	150.00
Donald B. Haddock (Garst Case	419.00
Dean Machine Company	95.37
Professional Ancillary Services	50.00
Manatee Memorial Hospital	35.75
Manatee Memorial Hospital	7,496.30
L. W. Blake Hospital	234.04

Motion was seconded by Mr. Dierks and carried unanimously.

TAX E AND I'S

Motion was made by Mr. Fortson to approve the List and Recapitulation of Errors, Insolvencies, and Double Assessments (E and I's) for 1976 Tax Roll, submitted by the Tax Collector:

Real Estate A. C.	\$12,315.47
Tangible Personal Property	11,007.56

Motion was seconded by Mr. Parrish and carried unanimously.

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TAX COLLECTOR: BRANCH OFFICE

Motion was made by Mr. Fortson to adopt Resolution to authorize the Tax Collector of Manatee County, Florida, to establish a branch office outside of the City of Bradenton, County Seat of Manatee County. Motion was seconded by Mr. Parrish and carried unanimously.

✓ RESOLUTION RECORDED S-2-174

BUDGET AMENDMENTS

Motion was made by Mr. Parrish to adopt Resolutions amending budgets of various departments by item to item transfer of funds as follows:

Insurance Department

From: Travel

To: Equipment

\$450.00

✓ RESOLUTION RECORDED S-2-175

and providing for receipt and expenditure of unanticipated funds:

Highway Department

(Unanticipated Revenue)

Increase Revenue: Project 1142

Increase Expenditure: Pipe

\$640.00

✓ RESOLUTION RECORDED S-2-176

Motion was seconded by Mr. Fortson and carried unanimously.

Line Item transfers in the Purchasing Department in total amount of \$2,602.54 was deferred for review.

BONDS

Motion was made by Mr. Dierks to Accept Cash Bond and Money Order of George Ibasfalean in the amount of \$30.00 for Driveway Permit No. 2547. Motion was seconded by Mr. Parrish and carried unanimously.

WARRANT LISTS

Upon motion by Mr. Parrish, seconded by Mr. Dierks, the Board unanimously approved Warrant Lists from July 19, 1977 to July 26, 1977 and authorized Warrant Lists to August 1, 1977, said Warrant Lists to include any pay-rolls during that period upon condition that all employees have performed their services in accordance with time and payroll practices of the county departments.

CORRESPONDENCE

Correspondence was read and/or acknowledged from:

1. Manatee Chamber of Commerce - urging support of renovation of Bradenton City Auditorium.
2. C. B. Russell, County Welfare Director - Increase of Manatee Memorial Hospital Per Diem rate.

MANATEE MEMORIAL HOSPITAL: PER DIEM RATES

Motion was made by Mr. Fortson to approve the new per diem rates of Manatee Memorial Hospital from \$117.02 to \$133.67. Motion was seconded by Mr. Parrish and carried unanimously.

3. Sherwood H. Hiller, Transportation Planning Coordinator, SMAT, Proposed agreement - Referred to County Attorney for review.
4. Department of Community Affairs - Comprehensive plan appropriating \$400,000 among the 67 counties - Routed to each Commissioner for review; to be placed on Agenda following Tuesday.

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5. Resolutions: Manatee Memorial Hospital

- (a) Requesting authority for Emergency Room Project
- (b) Requesting authority for leasing body scanner

MANATEE MEMORIAL HOSPITAL

Motion was made by Mr. Fortson to approve the two Manatee Memorial Hospital Resolutions (1) pertaining to the Emergency Room Project, and (2) Leasing the Body Scanner, subject to confirmation of County Attorney as being in proper form. Motion was seconded by Mr. Dierks and carried unanimously.

MANATEE MEMORIAL HOSPITAL - BOARD OF TRUSTEES

Motion was made by Mr. Fortson, seconded by Mr. Dierks and unanimously carried, to reappoint two members to the Manatee Memorial Hospital Board of Trustees, as follows:

- Dr. W. E. Wentzel, 3 year term, beginning July 2, 1977
- Mr. M. C. Quattlebaum, 3 year term, beginning August 26, 1977.

TRANSIT DEPARTMENT: RENTAL AGREEMENT

Motion was made by Mr. Fortson to approve and authorize execution of Rental Agreement with the Florida Department of Transportation for an additional bus for a period not to exceed two weeks beginning July 12, 1977, at the rate of Seven dollars (\$7.00) per day:

One (1) 1977 Model, 40-passenger, Blue Bird Bus
 Serial No. Engine 6D149607
 Body F35522
 DOT Tag No. 8-9739.

Motion was seconded by Mr. Parrish and carried unanimously.

AGREEMENT RECORDED S-2-177

MEETING ADJOURNED

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

Attest:

APPROVED:


 Clerk


 Chairman