

DECEMBER 27, 1977

The Board of County Commissioners, Manatee, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, December 27, 1977, at 9:11 a.m.

Present were commissioners:
Louis E. Driggers, Chairman
Dan P. McClure, Vice Chairman
Lamar S. Parrish
L.H. Fortson, Jr
R.W. Fowinkle, III

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

The meeting was called to order by the Chairman

The invocation was given by Reverend Gilbert Anderson, Bayshore Covenant Church.

ORDINANCE NO. 77-7 - LICENSE TO CARRY CONCEALED PISTOL

Public Hearing was declared open for purpose of considering the proposed Ordinance No. 77-7

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, PROVIDING THAT THE BOARD OF COUNTY COMMISSIONERS MAY GRANT A LICENSE TO CARRY A PISTOL WITHIN THE COUNTY OF MANATEE, FLORIDA, TO APPLICANTS MEETING CERTAIN CONDITIONS; PROVIDING A UNIFORM PROCEDURE FOR THE PROCUREMENT OF SUCH LICENSES; REQUIRING THAT THE COUNTY MAINTAIN RECORDS OF LICENSED INDIVIDUALS; PROVIDING A PROCEDURE FOR THE SUSPENSION AND REVOCATION OF LICENSES TO CARRY PISTOLS; AND PROVIDING AN EFFECTIVE DATE.

The County Attorney stated that the ordinance had been developed with the assistance and approval of the Sheriff's office, and briefly outlined the purpose and conditions of the Ordinance.

Mark Myers suggested provisions be made to allow the licensee to change guns during the license period. (Security Guards, in particular) Following discussion, Mr Myers agreed that the applicant could be informed during his training period of the appropriate type gun needed in his line of duty.

There was no one else to speak for or against the proposed Ordinance, and the public meeting was declared closed.

Motion was made by Mr Fowinkle that the Ordinance be adopted. Motion was seconded by Mr Parrish and carried unanimously.

ORDINANCE RECORDED

S3-127

GRANTS DEVELOPMENT DEPARTMENT

Bob Fernandez, Grants Development Department, submitted requests for approval as outlined in his letter of December 27, 1977.

(1) On-the-Job-Training Contract R-124 with Sarasota-Bradenton Airport to train a Safety Security Officer/Fire Crash/Rescue Emergency Medical Technician, December 27, 1977 - July 10, 1978 at \$1960.00

CONTRACT RECORDED

S6

(2) Modification to CETA Title I Grant to increase the fiscal year 1978 Budget in the amount of \$60,248 which resulted from an additional allocation of \$248 and estimated carry-over funds from fiscal year 1977 of \$60,000.

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- (3) Authorization for the Chairman to execute the Certification of Acceptance of Subgrant Award for LEAA Project #77-J6-08-FA01 Consultation and Equipment Supplementing Manatee Alternative School
- (4) Approval and authorization for the Chairman to submit an application to the Department of Health, Education and Welfare to the Public Health Service for a Home Health Care Grant in the amount of \$51,004.

Motion was made by Mr McClure that the requests of the Grants Development Department be approved. Motion was seconded by Mr Fowinkle and carried unanimously.

HEALTH DEPARTMENT - RIVERDALE SUBDIVISION: SEWERS

Bud Randall, Director, County Pollution Control Department and Ralph Niffenegger, Director, Environmental Health, summarized problems being encountered in connection with sewage disposal in Riverdale Subdivision, and their recommended solution.

Mr Randall explained that the original plans for the Riverdale sewage disposal system provided for a 25,000 gallon per day extended air sewage plant and a temporary lift station. Nine homes were built, but the developer filed bankruptcy and the disposal plant was not completed. Subsequently, the homes have been serviced by a process of sewage flowing by gravity to a lift station which forced the sewage through approximately 600 ft of pipe to the sewage plant. The plant acts only as a storage or holding tank and when it becomes full, the untreated sewage overflows and drains into the Manatee River. This is in violation of Chapter 13-3, Fla. Administrative Code. Another problem recently developed when the residents decided not to pay the electric bill and the Florida Power and Light Company turned off the electricity, resulting in all the raw sewage draining into a nearby canal connected to the Manatee River.

The conclusion of the Health Department and the Manatee County Utilities is that it is not feasible to extend the collection lines, therefore, they recommend that the nine residents be directed to install septic tanks (and necessary permits for such installation will be expedited). They further recommend electricity be turned on, and the lift station reactivated until the septic tanks can be installed.

Motion was made by Mr Fortson that the residents be notified and directed to install septic tanks within sixty days, and assure Florida Power and Light Company the County will pay the electricity bills in the interim time. Motion was seconded by Mr Fowinkle and carried unanimously.

DREDGING PERMIT - A.J. CROSS

Upon motion by Mr McClure, seconded by Mr Fortson, the Board unanimously approved dredging permit No. 7764, to permit Alfred J. Cross to remove approximately 200 cubic yards of granular material from a privately owned canal at 4717 Palmetto Point Drive.

IDLEWILD COURT - SPEED LIMIT

The County Engineer submitted recommendation of the Safety Council to establish a 20 MPH speed limit on Idlewild Court from U.S. 301 to 12th Street East, reducing the speed limit from 30 MPH.

Motion was made by Mr Fowinkle to authorize the County Attorney to prepare the appropriate resolution establishing the 20 MPH speed limit. Motion was seconded by Mr McClure and carried unanimously.

HIGHWAY DEPARTMENT - RAILROAD COMPANY

The County Engineer made reference to the poor drainage in the vicinity of the Four Star Tomato Packing Plant, advising that the Packing Company has agreed to improve the drainage system, but, in so doing, a pipe will have to be run north under the railroad tracks, but the railroad will consent to the installation only if the County will agree to maintain the drain.

Mr Parrish stated that he is familiar with the drainage problems in that particular area, and the proposed improvement will be an asset, not only to Four Star Tomato Company, but to the county. He recommended approval.

Action was deferred, pending receipt of the proposed agreement from the railroad company.

PURCHASING DEPARTMENT

Items No. 1, No. 2, No. 3 and No. 4, listed under "Deferred Items" in the Purchasing Director's letter to the Board, dated December 22, 1977, were again deferred.

William Mullon, Purchasing Director, submitted other recommendations in his letter of December 22, 1977, as follows:

MOTOR POOL

Surplus Equipment

- a. Advertise for bids to sell
- | <u>Asset No</u> | <u>Equipment</u> |
|-----------------|-----------------------------|
| 5-36 | GMC Truck |
| 7-49 | Spreader (Stone Handy) |
| 9-76 | Forklift |
| 10-33 | Mower Bush Hog |
| 8-89 | Rotary Mower |
| 9-10 | Woods Mower |
| 4220 (7-40) | 1951 Ford Flat Truck |
| 6-17 | Grace Compactor |
| 9-90 | Cement Mixer |
| 8-18 | 1958 Dodge Truck |
| S-73 | Test Set |
| S-95 | Block Tackle Chain Hoist |
| | Jack, wheel, 32"x39"x26" |
| S-108 | Handi-Jet Cleaner |
| 7-35 | Mud Hog water pump |
| 8-40 | Mud Hog diaphragm pump |
| 10-36 | Tractor Mower |
| S-44 | Stewart Warner survey meter |
| 11-24 | Heavy duty edger |
| S-93 | Pulllift |
| S-181 | Black & Decker drill |
| | Thor Sander, SN598328 |
| | Air Hammer, SN76003 |
| S-33(13134) | Shopmate drill |
| S-149(10065) | Impact wrench |
| S-152(10066) | Vacuum cleaner |
| 5296 | Aluminum table |

Mr Mullon requested that the items be advertised for sale first on an item by item basis, then any remaining items be readvertised and sold as scrap.

Motion was made by Mr McClure that recommendations of the Purchasing Director on the Motor Pool Surplus Equipment be approved. Motion was seconded by Mr Parrish and carried unanimously.

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HIGHWAY DEPARTMENT

2. Annual Requirements - Chemicals - Bid No. 78-25
 a. Award to lowest responsible bidders: (Superior, Asgrow
 Southern Mill Creek and Southern Agriculture)

Mr Mullon explained that in case of a tie bid, he recommends awarding to the "in-county" bidder, as opposed to out of county bidder.

3. Annual Requirements - Road Building Materials - Bid No. 78-24
 a. Award to lowest responsible bidders: (General Asphalt,
 Warren Bros.; Earl Collins; Jahna Ind.; P & R Shell;
 S & I Minerals; Gall Silica Mining; Reeder; Mariani)

MANATEE COUNTY UTILITIES SYSTEM

4. Parts to overhaul Micro-Strainer Drive Units (\$1600.48)
 a. Waive bid procedure
 b. Exercise sole source option
 c. Acquire - (Reynolds, Ltd., Westfield, N.Y.)

Motion was made by McClure to approve the recommendations of the Purchasing Director. Motion was seconded by Mr Parrish and carried unanimously.

21ST AVENUE N.W. - ACCEPTED

Upon motion by Mr Fortson, seconded by Mr Fowinkle, the Board unanimously accepted 21st Avenue N.W. for County maintenance under Florida Statute 95.361.

88TH STREET COURT N.W. - ACCEPTED

Upon motion by Mr Fortson, seconded by Mr Fowinkle, the Board unanimously accepted 88th Street Court N.W. by right of maintenance under Florida Statute 95.361.

SOS (SAFER OFF SYSTEM) PROGRAM

Bob Moon, Right of Way Agent, gave a report on proposed acquisition of right of way property to comply with federal use in connection with the SOS Program, North of Manatee River, on Memphis Road, commencing at State Road 43 (U.S. 41) to U.S. 301, a distance of approximately three miles and involving 25 acres (more or less) at an estimated cost of \$175,000.

LAND EXCHANGE: MR & MRS THOMAS HOWZE

Upon motion by Mr Fortson, seconded by Mr Fowinkle, the Board unanimously adopted a

RESOLUTION AUTHORIZING THE EXCHANGE OF COUNTY
 REAL PROPERTY FOR OTHER REAL PROPERTY

considered by the Board of County Commissioners on December 20, 1977, and determined expedient, necessary and to the best interest of the county, authorizing and directing the Chairman

- (1) execute a deed to Thomas and Sharon B. Howze
- (2) accept Warranty Deed from Thomas and Sharon B. Howze.

/ RESOLUTION RECORDED S3-128

HOMESTEAD EXEMPTION - DECLARATION OF DOMICILE

Westwood Fletcher, Personnel Director, at the request of the Supervisor of Elections, announced that Friday, December 30th, 5:00 p.m. will be the deadline for filing Declaration of Domicile, in order to be eligible for homestead exemption in 1978.

PERSONNEL: MANNING LEVELS/AMENDED

Upon motion by Mr Fowinkle, seconded by Mr Fortson, the Board unanimously adopted a resolution authorizing Manning Levels, by Job Classification for Departments Under the Direct Supervision of the Board of County Commissioners to be amended, as follows:

<u>Library System</u>	<u>Classification</u>	<u>Department</u>
Librarian II	From 6 To 7	
Librarian I	From 3 To 8	
Librarian I (P-T)	From 0 To 2	
Library Aide I (F-T)	From 5 To 6	
Library Aide III	From 0 To 1	
		From 53 To 63 p-79

RESOLUTION RECORDEDCONSOLIDATION SHEETS

Mr Fletcher submitted and requested approval of previously coordinated Personnel Consolidation Sheets (New Hires, Salary Increases, Terminations, Miscellaneous/Travel Authority) and authorization for the Chairman to execute the documents, to include adjustments of CETA personnel to the January 1, 1978 minimum wage, (approved by the Board in Special Session December 22, 1977).

Mr McClure pointed out that the adjustment in the salary of of the person on line two, page 2, (Park & Recreation) was in excess of the maximum upward adjustment set by County policy. Mr Fletcher explained that the 12.3 percent was the result of her *transfer from CETA to County Employee status. Mr McClure also requested reclassification of Deborah L. Paskell (Grants Development) be deferred one week.

John Sands, Deputy Clerk, noted (for clarification for the benefit of the auditing department) that some of the employees adjusted upward to the federal minimum wage level are county employees: Beginning with the second name from the bottom of page 8 (Robert H. Hanf) all of page 9, and down to Roderic E. VanBeuzekom on page 10. Also noted that salaries of Sharon B. Montgomery, Cynthia Kay Sessions, William A. Barbour, Charles W. Martin and Thomas Wichers are adjusted in excess of the ten percent set by County Personnel Policy, and requested an appropriate motion reflecting this.

Motion was made by Mr Fowinkle to approve the Consolidation Sheets, including CETA personnel; reflection of salary adjustment in excess of that approved in County Personnel Policy, and defer reclassification of Deborah Paskell one week. Motion was seconded by Mr McClure and carried unanimously.

RECESS

Following a brief recess, the Board reconvened with all members present.

ZONING

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

SE-852 & DRI #8 - W.R. GRACE & CO - PHOSPHATE MINING - APPROVED
 Deferred 11/22/77. Dewey Dye Attorney, Agent.
 Request for a special exception to permit phosphate mining in an agricultural district and Master Plan approval in accordance with Section VI, Para 16, Manatee County Ordinances as well as Development Approval of A Development of Regional Impact in accordance with Section 380.06, Florida Statutes.

*NOTE: Insert "reclassification and" ...

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Planning Commission recommended APPROVAL, as defined in Special Exception Resolution and Development Order Resolution.

Mr Carrington stated that legal counsel for the county, working with legal counsel for Tampa Bay Regional Planning Council, developed minor changes to the original recommendations of the Planning Commission. These changes were briefly outlined by Jerry West.

The County Attorney stated that he has reviewed the documents negotiated by the legal counsels of the Tampa Bay Regional Planning Council and W.R. Grace Company, finding the forms in good legal order and conforming to the County Mining Ordinances.

Motion was made by Mr Parrish to adopt Resolution granting the DRI Order and the Resolution granting Special Exception (852) approving a Master Mining and Reclamation Plan by W.R. Grace & Co. Motion was seconded by Mr Fowinkle and carried unanimously.

RESOLUTIONS RECORDED

R-866 DONALD CORBETT - OFFICE/WHSE - WITHDRAWN

Request to change present zoning from M-1 and A to M-2 district. Deferred 12/20/77, at request of Mr Driggers to permit him to attempt to ascertain if the zoning action is actually necessary.

Mr Driggers suggested the property be rezoned to the lesser C-2 zone, which would still permit the desired usage.

It was brought out during discussion that a Special Exception in the present M-1 zone would permit the desired use, and the agent for the petitioner requested R-866 be withdrawn. He further requested that the fees applicable to R-866 be applicable to any future application for Special Exception.

Motion was made by Mr Fowinkle to approve withdrawal of R-866 and reapplication of permit fees to subsequent application by the petitioner for a Special Exception. Motion was seconded by Mr Parrish and carried unanimously.

R-869 QUIRINO D'ALLESANDRO - SUBDIVISION - DEFERRED

Request to change present zoning from -A- to R-1B for a subdivision on 17th Avenue, N.W.

Mr Fortson stated that he had no objection to changing the zoning from Agriculture to Residential as this is the apparent trend for the area; however, he did object to the size of the lots in an area where R-1C zoning was more consistent.

Following lengthy discussion, action was deferred until the following Tuesday to permit more in-depth discussion with the developer.

77S-3-1(P&F) JAMANAC SUBDIVISION - APPROVED

Request for preliminary and final review of a single family subdivision, consisting of three lots. Planning Commission recommended APPROVAL with waiver of sidewalk and recreation requirements.

Inasmuch as the development of this subdivision will increase traffic on Erie and Sunshine Dairy Roads, the County Engineer had requested that the developers contribute five hundred dollars (\$500) toward the paving Erie road.

Chris Brown and Michael Reardon, owners of the subdivision, said they were willing to make the contribution at the appropriate time. After discussion as to how the payment could be made, Board members declined to make this a provision for approval of the plat.

Motion was made by Mr McClure to approve 77S-31(P&F) with waiver, as recommended by the Planning Commission, and adopt appropriate resolution. Motion was seconded by Mr Fowinkle and carried unanimously.

RESOLUTION RECORDED

WATER SYSTEM CONSTRUCTION TRUST FUND

Upon motion by Mr McClure, seconded by Mr Fowinkle, Resolutions (2) were unanimously adopted authorizing payments from

- (1) WATER SYSTEM CONSTRUCTION TRUST FUND
Requisition No. 11.650 B-117
 PDM Hydrostorage, Inc \$14,402.22
 Rusty Plumbing, Inc 15,801.71
 Ardaman & Associates, Inc 49.50

RESOLUTION RECORDED S3-129

- (2) WATER SYSTEM CONSTRUCTION LOAN
\$1.8M Bond Anticipation Note - Payment #1
 Russell & Axon \$ 2,327.55
 1,611.91
 Ardaman & Associates, Inc 2,621.50; \$170.00;
 1,593.25
 Vannice Construction Co. 23,526.72

RESOLUTION RECORDED S3-130

STATE ROAD 43 - MCUS USE PERMIT

Motion was made by Mr McClure to adopt Resolution authorizing the Chairman to execute, on behalf of the Manatee County Utilities System, application to the State Department of Transportation for a Use Permit for construction and maintenance of a utility line within the right of way of State Road No. 43, Section No. 13020.

Motion was seconded by Mr Fowinkle and carried unanimously.

RESOLUTION RECORDED S3-131

MCUS PROJECT CONSTRUCTION TRUST FUNDS

Upon motion by Mr McClure, seconded by Mr Parrish, a Resolution was unanimously adopted, approving payment of obligations from

- PROJECT CONSTRUCTION TRUST FUND ACCOUNT
State Loan #2 Payment #23
 Lanzo Constr. Co. Inc \$161,656.55; \$23,608.78
 Woodruff & Sons, Inc 45,097.72; \$19,897.16
 The Bradenton Herald 28.62
 Russell & Axon 1,074.25; \$ 1,800.79;
 \$17,744.82
 Gerald A. & Diane Kropp 260.00

RESOLUTION RECORDED S3-132

The County Attorney reported that a telegram had been received from the surety on the Lanzo Construction Company bond, recognizing the possibility of trouble with some of the lines and, subsequently, reconstruction; and assuring continuing validity of the surety bond.

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BONDS

Motion was made by Mr Parrish to accept and/or release bonds as follows:

- (1) Accept: C.W. MULFORD - \$960.00
Driveway Permit No. 3656
- (2) Release: WILLIS J. APPLE - \$500.00
Driveway Permit No. 3129

Motion was seconded by Mr Fowinkle and carried unanimously.

BILLS FOR PAYMENT

Upon motion by Mr Fowinkle, seconded by Mr Parrish, bills were unanimously approved for payment, as follows:

Refund: Monica Tetter	\$	30.00
Zickafoose Financial Services		7,500.00
Baran, Stoutamyer & Gimenez		19.00

WARRANT LISTS

Motion was made by Mr Parrish to approve Warrant Lists from December 20, 1977 to December 27, 1977, and to authorize Warrant Lists to January 3, 1978, 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 Fowinkle and carried unanimously.

CORRESPONDENCE

The Chairman acknowledged correspondence from various individuals and/or action was taken as follows:

1. R.B. Shore, Clerk, Circuit Court, Re: Travel Mileage (Ordinance No. 74-12) discussed generally, but no action taken
2. D.E. Pittman, Director, Manatee County Utilities System, Re: reimbursement of tuition fees to MCUS personnel satisfactorily completing courses in Chemistry and Math to become certified and obtain licenses as Water Treatment Plant Operators.

COUNTY EMPLOYEES - MCUS

Upon motion by Mr Parrish, seconded by Mr Fowinkle, the Board unanimously approved recommendations of the Director of Manatee County Utilities System, provided his request is made after the employee satisfactorily completes the courses.

3. W.C. Willumsen, Whitfield Zoning District, urging reduction of speed limit on U.S. 41 from 43rd Ave W. south to traffic light. Discussed briefly, with no action taken.
4. Milo Moucha, EMS Advisory Committee, recommending EMS services be provided for entire Key of Longboat Key - work session will be set with Ken McKendree and Longboat officials invited to attend
5. Marge Peters, Chairman of the Bi-County Commission on the Status of Women, requesting reappointment of Avis Wilkinson to that particular board.

BI-COUNTY COMMISSION ON STATUS OF WOMEN - AVIS WILKINSON

Upon motion by Mr McClure, seconded by Mr Fowinkle, Avis Wilkinson was unanimously reappointed for a term of three years to the Bi-County Commission on the Status of Women, effective December 30, 1977.

INSURANCE (CROWN LIFE INSURANCE CO.) - COUNTY EMPLOYEES

Following a discussion regarding the notification by Crown Life Insurance Company of their intention to increase the premium rate for County employees insurance coverage approximately \$8.00

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a month, commencing January 1, 1978, Mr Fortson recommended and moved that the effective rate be set at \$34.60 for the employee (which the County pays) and \$30.61 for dependent coverage (Paid by the employee). Motion was seconded by Mr Fowinkle and carried unanimously.

BRADENTON COMMUNITY CENTER

The discontinuation of the Bradenton Community Center on December 1, 1977, and the need of Meals on Wheels for a place to serve the noon meal was discussed, but no action was taken.

MEETING ADJOURNED


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

Attest:

APPROVED:



Clerk



Chairman