

FEBRUARY 7, 1978

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, February 7, 1978, at 9:06 a.m.

Present were Commissioners:
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

Chairman L.E. Driggers was absent.

The meeting was called to order by the Vice-Chairman.

The invocation was given by Reverend Bill Brock, Manatee Baptist Church.

GLEN COVE HEIGHTS - VACATION OF 46TH STREET EAST

Public Hearing was declared open to consider the petition of Robert D. Godwin to vacate a portion of 46th Street East and a cul-de-sac contiguous to and abutting lots 4, 5, and 6 and north of the north lot lines continued and connected in the center of 46th Street, East of Lots 3 and 7 in Glen Cove Heights Subdivision.

Robert Godwin, petitioner, stated that he planned to combine the vacated street and Lots No. 4, 5 and 6 into one lot for construction of his home; that he was having a survey made of all eight lots and questioned if this would be sufficient, as the cost of replatting would be prohibitive to his plans. In order to prevent a lot of record without public access, the Planning Department had recommended replat procedures be initiated.

The County Attorney pointed out a technical objection in the legal notice, noting that the attorney signed for the applicant, and the Statute requires it be in the name of the County. P.B. Hamilton, Attorney, representing Mr Godwin, said he would rectify the error.

Mr Hamilton submitted letters from the County Highway Department, Planning Department and Utilities System stating they had no objections to the vacation.

Bill Swann, Planning Department, advised that on September 23, 1977, the entire subdivision of Glen Cove Heights was brought before the Board for rezoning from Agriculture to R-1AB (residential) and a resolution was drawn approving the entire tract, however the official motion which carried unanimously was that "only those lots owned by Mrs Townsley (lots No. 3, 4, 5 & 6) be rezoned to R-1AB." He requested a new resolution be adopted correcting the previous resolution.

The County Attorney was instructed to research the records and make recommendations as to appropriate legal action.

The Vice-Chairman declared the public hearing continued until further notice.

Motion was made by Mr Fortson that the letters from the Highway, Planning and Utilities Departments be accepted into the record. Motion was seconded by Mr Fowinkle and carried unanimously.

GRANTS DEVELOPMENT DEPARTMENT

Bob Fernandez, of the Grants Development Department, requested approval of

- (1) Five On-the-Job Training Contracts
 - a. R-127 with Norman's Lawn Service to train a Landscape Gardner Trainee, January 31, 1978 - November 6, 1978, at \$2400.00
 - b. R-128 with Alumicraft Foundry to train a Snag/Grinder Mold Closer Trainee, February 1, 1978 - September 5, 1978, at \$1674.04
 - c. R-129 with Norman's Lawn Service to train a Landscape Gardner Trainee, February 1, 1978 - November 7, 1978, at \$2400.00
 - d. R-130 with Norman's Lawn Service to train a Landscape Gardner Trainee, February 3, 1978 - November 9, 1978, at \$1680.00
 - e. R-131 with Sawdust Joe to train a Furniture Reproduction Carpenter Trainee, February 3, 1978 - November 30, 1978, at \$2430.40

CONTRACTS RECORDED

- (2) Increase in CETA Title VI Project No. 32 (Water Well Survey) Non-Financial Agreement with the Manatee County Health Department from \$12,273.00 to \$12,722.00 to include in-county travel for the two participants.

Motion was made by Mr Parrish to approve requests of the Grants Department. Motion was seconded by Mr Fortson and carried unanimously.

SARASOTA: AIR QUALITY CLASS I DESIGNATION APPLICATION

O.E. Randall, Pollution Control Director, and Charles Hunsecker, of the Planning Department, reported on the public hearing held by the Florida Environmental Regulation Commission February 1, 1978, in Tampa, in connection with application by Sarasota for an Air Quality Class I Designation under the new environmental legislation.

Mr Randall expressed the opinion of the Chairman of the Environmental Regulation Commission that Manatee County should fully participate in every upcoming worksession, meeting, conference and public hearing that will be upcoming; and that it is essential that Manatee County have experienced and competent technical, as well as legal personnel available to participate in these proceedings.

Mr Randall was instructed to work with Mr Hunsecker and Ed Mulock to develop specific recommendations to bring back to the Board for consideration. Mr Fortson requested that Mr Mulock be present when the recommendations are submitted to the Board. The County Attorney requested a copy of Sarasota's petition and that he be kept abreast of the proceedings.

PURCHASING DEPARTMENT

William Mullon, Purchasing Director, submitted recommendation on

EMS - TELEMETRY RADIO EQUIPMENT

Four Motorola portable radios

- a. Permission to sell to another governmental unit, at no loss or profit to the county, with the proceeds to be committed to the current grant for updating EMS Radio and Telemetry equipment.

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Motion was made by Mr Fortson to approve recommendation of Purchasing Director. Motion was seconded by Mr Fowinkle and carried unanimously.

As outlined in his letter dated February 7, 1978, Mr Mullon recommended:

- 1A. MOTOR POOL - Scrap Metal
 Sale of Scrap Metal
 Waive bid procedure, haul by truck to Tampa and sell as bulk scrap to dealer in Tampa (Commercial Metals at \$40.00 a ton, as recommended by Martin Williams)
- 2A. COOPERATIVE PURCHASING - INTER-LOCAL AGREEMENT
 Authorize Chairman to execute contract
 /AGREEMENT RECORDED S3-180
- 3A. VARIOUS DEPARTMENTS - Surplus Equipment
 Advertise for sale (items classified with Asset Numbers 1634, 4508, 2821, S-71, S-70, S-66, S-130 3194; a 35-gallon barrel full of brass bushings; an Aero Hoist #21A; and a 24" electric chain saw; also miscellaneous items)
- 1B. PURCHASING POLICY AMENDMENT
 Adoption of Resolution Amending Purchasing Policy
 /RESOLUTION RECORDED S3-181
- 2B. VARIOUS DEPARTMENTS - Petroleum Products (Bid No. 78-28)
 Award to lowest responsible bidder

Mr Mullon requested Item 2B. be deferred one more week.

Motion was made by Mr Fortson that items 1A, 2A, 3A and 1B be approved. Motion was seconded by Mr Fowinkle and carried unanimously.

GENERAL TELEPHONE COMPANY - TELECOMMUNICATIONS SERVICE AGREEMENT

The County Attorney submitted the Telecommunications Service Agreement, (a form contract) from General Telephone Company, in connection with the new proposed telephone system for the courthouse, advising that it is for a duration of seven years, at rates of \$936.25 monthly for the "Tier A" items, plus \$273.90 monthly for "Tier B" items.

John D. Sands, Deputy Clerk, stated that the agreement is acceptable to the Clerk's office.

Motion was made by Mr Parrish to authorize the Chairman to execute the contract. Motion was seconded by Mr Fowinkle and carried unanimously.

✓AGREEMENT RECORDED S3-182

PALMA SOLA BAY GARDENS, VACATION OF; EASEMENTS ACCEPTED

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

1) adopted Resolution granting petition of Kington, Ehrbar, and McHarg approving the vacation of Ibanez Drive, Royal Palm Blvd and DeSoto Drive in Palma Sola Gardens Subdivision

2) Accepted Utility Easements from Cimarron Properties, Inc Eileen M. Kington, Elizabeth K and Eugene J. Ehrbar, Henry and Barbara McHarg.

✓RESOLUTION RECORDED S3-183

EASEMENTS ACCEPTED:

Upon motion by Mr Fortson, seconded by Mr Fowinkle, the Board unanimously accepted utility easements from:

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- (1) Manatee Fruit Company - a 15 foot permanent easement
- (2) Frederick J. Scott, as Trustee - 10 foot wide permanent easement and a 10 foot wide temporary easement to be utilized for construction purposes only.

VOLUNTEER FIRE DEPARTMENT, PARRISH COMMUNITY
DIVISION OF FORESTRY: LEASE AGREEMENT

Upon motion by Mr Parrish, seconded by Mr Fowinkle, the Chairman was unanimously authorized to execute Cooperative Equipment Lease Agreement by and between State of Florida Department of Agriculture and Consumer Services, Division of Forestry, and Manatee County, whereby the Division of Forestry will furnish to the Parrish Community Volunteer Fire Department a Dodge 4 x 4 M37 Wisc. Motor and Pump, to be stored and maintained by the Parrish Community Volunteer Fire Department and used by them to answer calls anywhere in the County.

AGREEMENT RECORDED

S3-184

PALM VIEW ROAD - SPEED LIMIT

Upon request by Mr Parrish action was deferred on adoption of a Resolution establishing the speed limit on Palm View Road between US 41 and the Ellenton-Gillette Road. He had received numerous complaints from area residents that 35 mph speed limit for this particular stretch of road was too slow.

LOT CLEARING - LIEN SATISFACTION

The County Attorney submitted a Satisfaction of a Lot Clearing Lien which had been paid but Satisfaction had not been recorded in the Public Records. Payment of the lien has been verified by the Office of the Clerk of Circuit Court, through Rick Ashley, Chief Deputy Clerk, and it would be in order for the Board to authorize the execution and recording of this Satisfaction.

Motion was made by Mr Fortson that the Chairman be authorized to execute Satisfaction of Lot Clearing Lien. Motion was seconded by Mr Fowinkle and carried unanimously. (Re: LC-824: Owner, Norman Graham)

LAWSUIT: PROPERTY APPRAISAL ADJUSTMENT BOARD (CONNER)

The County Attorney made reference to his letter dated February 2, 1978, regarding lawsuit, Re:

Ronnie Conner and Dorothy Conner, Plaintiffs vs. A.B. Powell, as the Property Appraiser of Manatee County, Florida; L.H. Fortson, Jr., L.E. Driggers, Robert W. Fowinkle, III, Mrs Louise Johnson, and Mrs Marjorie Kinnah, as all of the members of the Board of Tax Adjustment of Manatee County, Florida, Defendants, Case No. CA-78-178 in the Circuit Court of Manatee County, Florida,

and his recommendations that (1) he file a Motion seeking to have this suit dismissed (2) attempt to have the Court order that the individually named members of said Board be stricken from the style of the suit, so that it does not appear in subsequent pleadings, and (3) perform professional services necessary to defend the Property Appraiser's Board of Adjustment and the individual members in this litigation at the rate outlined in his letter.

Motion was made by Mr Fortson to approve recommendations of the County Attorney. Motion was seconded by Mr Fowinkle and carried unanimously.

LAWSUIT: IZAAK WALTON LEAGUE OF AMERICA, INC

The County Attorney made reference to the Lawsuit, Re:

The Manatee Chapter of the Izaak Walton League of America, Inc, Plaintiff vs Manatee County, a political subdivision of the State of Florida, Defendant, Case No. CA-78-183 in the Circuit Court of Manatee County, Florida.

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and temporary injunction to prevent the County from issuing to Manatee Energy Company a Building Permit authorizing the Construction of the Crude Splitter Facility at Port Manatee until a suit involving the same parties concerning the Government in the Sunshine Law has been finally determined.

He requested authorization to perform whatever professional services necessary to protect the interest of the County in this litigation.

Motion was made by Mr Fowinkle to approve recommendation of the County Attorney. Motion was seconded by Mr Parrish and carried unanimously.

Mr Fay announced that the Court did not grant the temporary injunction and the County was dismissed from the Lawsuit.

LAWSUIT: TOMASINO & ASSOCIATES

In connection with pending lawsuit involving the County versus Tomasino & Associates, the County Attorney indicated that he felt the interest of the County might best be served by acceptance of settlement informally proffered by Tomasino & Associates. He requested authorization to continue to negotiate for settlement and bring proposed terms to the Board for consideration, if and when a tentative settlement is reached.

There were no objections to his recommendations to continue the negotiations.

TRAVEL AUTHORITY - FRANK PEARSON

Upon motion by Mr Fortson, seconded by Mr Fowinkle, the Board unanimously authorized Frank Pearson to travel to Orlando, Florida, Tuesday, February 28th and Wednesday, March 1st, 1978, to attend a Traffic Signal Maintenance School.

RECESS

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

ZONING

Bill Swann and Dave Forkner, Planning and Development Department, submitted recommendations of the Planning Commission.

R-865 PIKE INDUSTRIES, INC. - DEFERRED
Deferred indefinitely at the request of Ken Cleary, Agent.

R-874 PETER SZOLLOSI - DENIED
Request to change the present zoning from "A" to R-1AA District was deferred February 4, 1978 at the request of Mr Parrish.

Mr Parrish said that he had viewed the property and felt that if R-874 were granted, this would make the property incompatible with the area; therefore, he recommended and moved that R-874 be denied. Motion was seconded by Mr Fowinkle and carried unanimously.

R-878 NANCY SHEPKE, ET AL - DEFERRED
Request to change present zoning from R-1AA to Professional deferred 1/4/78.

The Vice Chairman relayed a request that action on this petition be deferred until all members of the Board can be present. There was no objection and R-878 was deferred to the following Tuesday.

77-S-23(F) PALMA SOLA PINES SUBDIVISION DEFERRED
Mr Swann advised the petitioner had run into a minor problem with the plat and requested action be deferred to the following Tuesday. There were no objections.

77-T-3/3(F) FIESTA GROVE, PHASE I - APPROVED
Request: Final plan review of Phase I, Fiesta Grove Travel Trailer Park, consisting of 73 travel trailer lots on 5.4 acres, located ½ mile NW of Frog Creek on old U.S. 41
Planning Commission recommended APPROVAL.

Mr Swann advised that the proposed Travel Trailer Park has met all the requirements of final plan review; all the improvements are in and approved, except the access road to the recreation area, for which a completion bond in the amount of \$1952 has been posted; and a letter of intent has been filed stating the required landscaping will be completed by February 28, 1978. (For acceptance of bond, see under BONDS)

Motion was made by Mr Fortson to approve 77-T-3/3(F) and adopt the appropriate resolution. Motion was seconded by Mr Parrish and carried unanimously.

RESOLUTION RECORDED

HOUSEMOVING PERMIT - WILLIAMS

Motion was made by Mr Parrish to approve Housemoving Permit subject to posting of the required bond, for

ROBERT WALTON to move a building
for CARRIE WILLIAMS
from 806 30th St., W., Bradenton,
to 2705 7th Avenue, E., Palmetto.
(Pre-moving No. 14250)

Motion was seconded by Mr Fowinkle and carried unanimously.

PLANNING & DEVELOPMENT COMPREHENSIVE PLAN - SURVEY

Jeff Miller, of the Planning and Development Department, summarized a Survey in connection with the County Comprehensive Plan, conducted by the Planning Department to ascertain the response of County residents (selected at random from the local telephone directory) to the major issues involved. He reported a satisfactory response had been received, with an overwhelming indication of interest in development of light, non-polluting industry and a farmers market in the community.

SE-1078

Because of incorrect legal description in the Resolution adopted 1/17/78 approving SE-1078, Bill Swann requested that a new Resolution be approved.

Motion was made by Mr Fortson to rescind the previous Resolution and adopt a new Resolution approving SE-1078, subject to review of the County Attorney. Motion was seconded by Mr Parrish and carried unanimously.

SHERIFF - BUDGET AMENDMENT

Upon motion by Mr Fortson, seconded by Mr Parrish, the Board unanimously approved amendment to the Sheriff Department's 1977-1978 Budget as requested by Sheriff Tom Burton to reflect receipt of unanticipated revenue through LEAA Grant 77-A2-08-CE02, in the amount of \$4,489.00.

INVENTORY CONTROL

Motion was made by Mr Fortson to delete from Inventory Control,

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Asset No.

2982 (Dictaphone, Ser No. 345628)
 4105 (Quanta Adder, Ser. No. 6243652)
 6175 (Steelmaster 4-drawer file cabinet w/lock)

Motion was seconded by Mr Parrish and carried unanimously.

BANKING ACCOUNTS ESTABLISHMENT OF

John Sands, Deputy Clerk, submitted a Standard Form Resolution, developed by the County Attorney, for establishing County Bank Accounts. No action was taken.

LIBRARY - CHANGE ORDER

The Deputy Clerk submitted Change Order No. 8 increasing the contract (with Roger B. Hall, Contractor, Central Library Building) by \$3,810.68.

Following discussion, action on this matter was deferred for further discussion by Mr Fowinkle with the Library Director and the Architect.

CHAMBER OF COMMERCE - BUDGET

Upon motion by Mr Fortson, seconded by Mr Parrish, the Board unanimously approved transmittal of allocated funds in the amount of \$20,000 to the Manatee Chamber of Commerce.

PARK & RECREATIONS; AGRICULTURE CENTER - BUDGET/AMENDMENT

Motion was made by Mr Fowinkle to adopt resolutions approving item to item transfers of funds to amend county budgets, as follows:

Agriculture Department

From: Reserve for Contingency
 To: Building Maintenance

\$3,800.00
 ✓RESOLUTION RECORDED S3-185

Parks & Recreation Department

From: Reserve for Contingency
 To: Building Maintenance
 (Palmetto Youth Center Bldg)

\$5,500.00
 ✓RESOLUTION RECORDED S3-186

Motion was seconded by Mr Parrish and carried unanimously.

BILLS FOR PAYMENT

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

Wyman-Green & Blalock (Library contents)	\$ 64.00	
Mann & Fay	5,877.63;	\$75.00
Lawyers Title Service	35.00	
Tampa Bay Regional Planning Council (Pro-rata share EMS Grant Application)	400.00	
Bradenton Insurance (Transit-buses)	14,765.00	
Sidney Wilkinson (So. County Library)	1,800.00	
State Dept. of Commerce (Unemployment Compensation)	2,272.44	
Refunds:		
S & S Mobilehome Service (HARV)	13.25	
Patricia Salisbury (OB Clinic)	50.00	
Lehman, Foley & Schermer	3,715.31	

BONDS

Motion was made by Mr Fortson to approve acceptance or release of bonds as follows:

Accept: Fiesta Grove, Phase 1, surety bond - \$1,952.50
 (Andrew J. Kurey)

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ALFRED J. CROSS,, cash bond - \$400.00
Driveway Permit No. 3876
RICHARD GRAHAM, cash bond - \$175.00
Driveway Permit No. 3856

Release: WOODS OF WHITFIELD, SECTION III
Cash Bond - \$19,459.22

Motion was seconded by Mr Parrish and carried unanimously.

Action on the request from QUEST III COOPERATIVE (Palma Sola Pines Subdivision) for an extension of completion date on improvements bond was deferred until the subdivision final plat is submitted for approval.

WARRANT LISTS

Motion was made by Mr Fortson to approve Warrant Lists from January 31, 1978 to February 7, 1978 and to authorize Warrant Lists to February 14, 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 Parrish and carried unanimously.

PERSONNEL: POUTRE ENTERPRISES INC.

Upon motion by Mr Fowinkle, seconded by Mr Parrish, the Board unanimously authorized payment of fee of \$2000 plus expenses to Poutre Enterprises, Inc. to conduct an Employee Relations Seminar for Manatee County on February 9 and 10, 1978.

COUNTY ADMINISTRATOR - SUNCOAST PUBLIC MANAGEMENT ASSOCIATION

Upon motion by Mr Fortson, seconded by Mr Parrish, the Chairman was unanimously authorized to sign a letter to the President of the Suncoast Public Management Association accepting their voluntary services to review and screen applications submitted for the position of Manatee County Administrator.

PERSONNEL MANNING LEVELS/AMENDED

Upon motion by Mr Parrish, seconded by Mr Fortson, Resolution was unanimously adopted amending manning levels by job classification as follows:

	Classification		Department	
	From	To	From	To
<u>Ambulance Department</u>				
EMS Technician I	6	11		
EMS Technician II	17	21		
EMS Technician Trainee	1	0		
			42	50
<u>Probation Department</u>				
Probation Officer II	0	2		
Probation Officer I	5	4		
			10	11
<u>Transit Department</u>				
Secretary II	1	0		
Secretary III	0	1		
			28	28
<u>Highway & Engineering</u>				
Engineer II	2	3		
Highway Maintenance Tech. I	60	59		
			179	179

RESOLUTION RECORDED

CONSOLIDATION SHEETS/AMENDED

Mr Fletcher submitted and requested approval of previously

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coordinated Personnel Consolidation Sheets (New Hires, Salary Increases, Terminations and Miscellaneous/Travel Authorization) with following additions:

ADD TRAVEL AUTHORIZATIONS:

George Moore, Kenneth D. Henderson, Royal F. Corbin, Alfred J. Cross, Frederick J. Loveland and Eugene H. Smith to Sarasota - 2/9-10/78
 William T. Strickland to Tampa - 2/7/78
 L.E. Driggers and C.C. Carrington to Tallahassee - 2/7/78
 L.E. Driggers to St Petersburg - 2/13/78
 Dan P. McClure and J.E. Jaudon to Washington, D.C. -2/7-9/78
 Leon Esachenko to Tampa - 2/7/78
 Robert T. Montgomery to Brooksville - 2/1/78
 Dr John Ambrusko to Tampa, leaving at 3:00 p.m. 2/21/78 and returning at 5:30 p.m. 2/22/78.

Motion was made by Mr Parrish to approve the Consolidation Sheets as amended and authorize the Chairman to sign. Motion was seconded by Mr Fowinkle and carried unanimously.

MEETING ADJOURNED

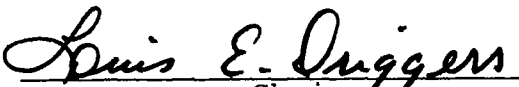
There being no further business, the meeting was declared adjourned.

Attest:

APPROVED:



 Clerk



 Chairman

2/15/78