The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, March 7, 1978, at 9:05 a.m.

Present were Commissioners:
Louis E. Driggers, Chairman
Dan P. McClure, Vice Chairman
Lamar S. Parrish
L.H. Fortson, Jr

Also present:

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

Absent: Commissioner R.W. Fowinkle, III

The meeting was called to order by the Chairman.

Invocation by Edward Stauffer, Pastor, First United Methodist Church, Palmetto

~HANDICAPPED, ARCHITECTURAL BARRIERS (COOLEY)

Mrs Dan Cooley appeared before the Board to enumerate some of the architectural and other barriers encountered by handicapped persons in public buildings and areas. She stated that failure to comply with federal requirements by 1980 will result in loss of federal funds. Among the problems pointed out were

Court House: Ramps too steep for wheelchairs; doors too heavy (exceed 5 lbs pressure max.); should be no thresholds - wheel-chairs cannot pass over; restrooms inaccessible and lack facilities for handicapped.

City Hall: Same problems as court house, in addition to elevator inaccessibility.

Post Office: No wheelchair ramp; mailboxes too high; location of drop boxes hazardous, etc.

Street Ramps: Some too steep and lead wheelchairs into line of
traffic.

Chamber of Commerce: No parking area and ramp for handicapped.

Public Parking Lots: Too few spaces reserved for handicapped and prohibition use by general public not enforced.

Tag Office (Belk Lindsey Annex): Difficulty in handicapped reaching area; should not be forced to stand in line for long period of time.

Mr McClure noted he had discussed the drop boxes at the postoffice with Mayor Leach, City of Bradenton, and had suggested a more convenient location with a drive-around.

The Chairman advised that efforts have been, and are being made, to provide facilities for the handicapped, but no guidelines furnished to this Board so specific requirements were not known. He appointed Mr Fortson to act as liaison for the Board and requested him to follow through on this project.

PARTICIPATION PROJECTS NOS. 964 & 947

Mr Fortson reported that review of the participation projects (No. 964 and No. 947) is continuing and further information will be brought to the Board as it becomes available.

_37TH STREET, EAST - SPEED LIMIT

Ed Dougherty, Director, Highway/Engineering, recommended no increase in the speed limit on 37th Street East.

Theodore Tobias, 4620 37th St., speaking in his own behalf and as the representative of the Braden River Association, opposed the increase in speed limit on this unimproved road and described its hazardous condition.

Cont'd

It was noted that 37th Street East is not on County maintenance schedule and the County Attorney advised that the County may regulate a street that is used by the public, whether or not it has been accepted by the County.

Mr Dougherty was instructed to advise the Safety Council that the Board declined to accept its recommendation to increase the speed limit on 37th Street East.

PURCHASING DEPARTMENT

William Mullon, Purchasing Director, submitted recommendations of the Purchasing Department outlined in his letter dated March 3, 1978

PARKS & RECREATION

- A.1 Recreational Trophies & Awards (Bid No. 78-33)
 - a. Award to lowest responsible bidder (Trophy & Sports World)
- A.4 Bradenton Beach Fishing Pier Supplies
 - a. Waive bid procedure
 - b. Acquire

Mr Mullon requested this item be deferred, pending analysis of the budget. There was no objection.

VARIOUS DEPARTMENTS

- A.2 Miscellaneous Surplus Equipment (Bid No. 78-34)
 - a. Award to highest bidders (9) (Engine Services; C.L. Logue; Haven Sales Inc. R & R Salvage; Berger Scrap Metals; Advanced Business Products; C & B Services; Canadian Electric and Lester T. Smith)
 - b. Delete Asset Numbers from the records

He also requested authority to sell as bulk scrap any materials remaining after these sales.

PURCHASING DIRECTOR

- A.3 Authority to travel (with Phil Davis, Transit) to Tallahassee 3/17/78, Re: Transit Communications System
- A.5 Authority to attend Eleventh Annual Seminar & Workshop of Florida Association of Governmental Purchasing Officers, in Clearwater, Fla 4/18-21/78.

Motion was made by Mr Fortson to approve Items 1,2,3, and 5 as recommended by the Purchasing Director. Motion was seconded by Mr Parrish and carried unanimously.

- HIGHWAY PROJECT 0601: CONTRACT; BOND/INSURANCE

The County Attorney advised that he has reviewed the contract documents in connection with Highway Project 0601, (paving 21st Avenue) and he recommended the Board consider a motion that the Chairman be authorized to execute the contract agreement and accept the bond and insurance certificate. (Ashland-Warren, Inc., Contractor. (\$103,343.45) Insurance of North America, Surety)

Motion was made by Mr McClure to accept bond and insurance certificate for Highway Project 0601 and that the Chairman be authorized to sign the contract. Motion was seconded by Mr Parrish and carried unanimously.

CONTRACT RECORDED

S3-215

CANAL ROAD

Bob Moon, Right of Way Agent reported that right of way property

in connection with the Canal Road project can not be acquired until the Engineering Department determined the requirements.

Reverend Lawrence Livingston, representing the residents in Canal Road area, requested clarification of the project.

Chairman Driggers explained that \$280,000 is total amount budgeted for this project this year; that acquisition of the necessary right of way is the first step; that when the Engineering Department determines how much right of way is needed, Mr Livingston and his group will be notified and action will be initiated for acquisition.

4TH AVENUE, EAST (WILLIAMS ROAD) - ACCEPTED

Upon motion by Mr McClure, seconded by Mr Fortson, 4th Avenue East (also known as Williams Road) was unanimously accepted for County maintenance under Florida Statute 95.361

45TH STREET EAST - ACCEPTED

Upon motion by Mr McClure, seconded by Mr Fortson, 45th Street East (from State Road 45 to State Road 55) was unanimously accepted for County Maintenance.

PARTICIPATION PROJECT NO. 1195

Upon motion by Mr Fortson, seconded by Mr McClure, the petition for Participation Project No. 1195, to pave 25th Street West, between 48th Avenue and 49th Avenue West was unanimously accepted. (100% owner participation)

LIBRARY: CERTIFICATE OF SUBSTANTIAL COMPLETION

The County Attorney stated that he has reviewed, and found in good legal form, Certificate of Substantial Completion on the Central Library Headquarters Building, executed by the Architects and by the General Contractor; that, if accepted, this will in effect

=allow the County to take possession
and occupy the building,

=start the warranty periods

=make the county responsible for insuring the property
and provides that the general contractor complete the
"punch list" (minor items not yet completed) within thirty
days.

Doug Croll, Architect, explained that the Certificate in no way constitutes acceptance of the building by the owner, but essentially puts the insurance and the warranties into effect as of that date.

Motion was made by Mr McClure that the Chairman be authorized to execute the Certificate of Substantial Completion. Motion was seconded by Mr Parrish and carried unanimously.

Mr Place advised that the official opening of the Library is planned for the week of April 17th, with dedication and open house on April 29th.

The Board accepted the master keys (7) from the General Contractor

PERSONNEL: MANNING LEVELS/AMENDED - HIGHWAY; AGRICULTURE DEPARTMENT Motion was made by Mr Parrish to adopt resolution amending the Manning Levels by job classification as follows. Motion was seconded by Mr Fortson and carried unanimously.

_	HIGHWAY DEPARTMENT	CLASSIFICATION		DEPARTMENT	
		FROM	\mathtt{TO}	FROM	\mathtt{TO}
	Highway Maint. Tech I	58	54		
	Engineering Tech IV	4	5		
	Heavy Equipment Operator III	0	ĺ		
	Highway Maint. Tech II	18	20		

Cont'd

HIGHWAY DEPARTMENT	CLASSIFICATION FROM TO		DEPARTMENT FROM TO		
Secretary III	3	1	FROM		
Office Manager	0	1			
Clerk-Technical	0	2			
Secretary II	1	0			
Cost Accountant	1	1			
Accounting Clerk II	U	Τ	179	179	
AGRICULTURE DEPARTMENT					
Secretary III	2	1			
Secretary II	0	1	12	12	P-88

RESOLUTION RECORDED

PERSONNEL: CONSOLIDATION SHEETS/AMENDED

The Personnel Director submitted for approval and requested authorization for the Chairman to sign the personnel consolidations sheets (New Hires, Salary Increases, Terminations and Miscellaneous/Travel Authority), with following additions:

Add: Travel: L.E. Driggers to St Petersburg, 3/13/78
Regis Chapman to Atlanta, Ga., 3/2-3/78
Robert T. Montgomery to Gainesville, 2/28/78

Terminations:

James Cochise, II (MCUS) 3/2/78 - deceased Aldonia Hemmans (Agriculture Center)

Leave of Absence, Without Pay:

Mazo A. Burdick, (P&R) 3/21/78 to 4/24/78

Reclassify Pay Rate:

Thurman Hurst, CETA (P&R) to 4.33 an hour Nathaniel Davis, CETA (P&R) to \$3.64 an hour Martin Eason, (Highway) to \$3.94 an hour Jeff K. Bowers (MCUS) to \$3.32 (reduction)

Administrative Adjustments: (due to oversight)

Willie Albritton Jr (MCUS) from \$4.15 to \$4.95

William O. Greene (MCUS) from \$3.40 to \$3.57 an hour

John R. Baker (MCUS) from \$3.40 to \$3.47 an hour

Secondary Employment:

Judith A. Morgan (Highway) to work ten hours on weekends as a farrior.

Motion was made by Mr Fortson that the Consolidation Sheets, with the additions, be approved. Motion was seconded by Mr Parrish and carried unanimously.

COUNTY EMPLOYEE: TACKETT (REIMBURSEMENT)

Upon motion by Mr Parrish, seconded by Mr Fortson, the Board unanimously approved the addition of MCUS employee Durwood Tackett to the list of employees approved for reimbursement of tuition expenses upon their successful completion of certain courses for certification as Operators of Water Treatment Plants.

PERSONNEL POLICY - AMENDED

The Personnel Director submitted proposed

RESOLUTION AMENDING PERSONNEL POLICY RULES AND PROCEDURES

to clarify computation of overtime by deleting paragraph 1.e.(3)

Cont'd

of the Personnel Policy, Rules and Procedures adopted December 18, 1975 and inserting the following paragraph in lieu threof:

(3) Overtime is defined as those hours worked by nonsupervisory employees in excess of 80 hours within
a given pay period. Official holidays and authorized
paid absences shall normally be counted as eight (8)
work hours in the computation of overtime worked during
any pay period; however, employees who regularly work
programmed overtime hours shall be compensated in the
same amount they would have been compensated had they
been working during authorized paid absences.

Motion was made by Mr Parrish to adopt the Resolution amending the Personnel Policy. Motion was seconded by Mr Fortson and carried unanimously.

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✓ RESOLUTION RECORDED

S3-216

PERSONNEL: INCENTIVE PROGRAM

Mr Fletcher requested authorization to confer with the County Attorney concerning that portion of the County Personnel Policy which deals with employee participation in county government through an incentive program (suggestions program, awards for suggestions submitted by employees and adopted by the county, awarding of savings bonds, extra vacation time, etc) and that the County Attorney draw up the appropriate Ordinance.

The County Attorney expressed a concern about the authority of a county that is a non-chartered county to do any of those things, and suggested that he research the Law and make recommendations. There were no objections.

MUNICIPAL AUDITORIUM - FINANCIAL ASSISTANCE AGREEMENT

The County Attorney submitted Municipal Auditorium Financial Assistance Agreement between the County and the City of Bradenton for the restoration, renovation, repairing, alteration, modification and additions to the City of Bradenton Auditorium, Job No. 78-I-32, whereby County agrees to pay one-half of all the lawful and duly authorized payments and disbursements for the completion of the project as long as total payments by the County does not exceed \$200,000.

He stated that if the County executes the Agreement, the City Attorney will submit it to the City Council tomorrow for execution by the City of Bradenton.

Motion was made by Mr Fortson that the Agreement be approved and authorized executed by the Chairman. Motion was seconded by Mr Parrish and carried unanimously.

AGREEMENT RECORDED

S3-217

MANATEE COUNTY LITTLE LEAGUE, BASEBALL INC - LEASE

The County Attorney submitted a proposed Lease between the County and Manatee County Little League Baseball, Inc. of Bradenton, Florida, for a period of 20 years at \$1.00 per year, also Resolution by the Little League authorizing execution of said Lease and a check in the amount of one dollar (\$1.00) for the first year's rent. He summarized terms and conditions of the agreement, which allows the Lessee use of certain County-owned real property (located on SR 70) solely for the purpose of forming and organizing baseball teams for the youth of Manatee County.

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

AGREEMENT RECORDED

S3-218

RECESS

Following a short recess, the meeting was reconvened with all members present except Mr Fowinkle.

Cont'd

ZONING

Charles Carrington, Planning Director and Bill Swann, Assistant, submitted recommendations of the Planning Commission.

SE-1095 LIVELY ENTERPRISES - APPROVED (Glen Hoelz, Agent or Cutler-Hammer, Inc)
Request: Special exception to permit C-2
use of C-1 zone for preliminary and temporary
operation involving employee training, personnel functions and limited final switch assembly
operations on 0.58 acres at the corner of
67th Avenue E. & U.S. 301
Planning Commission recommended APPROVAL.

Mr Driggers, in whose district the property is located, recommended approval.

Motion was made by Mr Parrish to approve SE-1095 and adopt the appropriate resolution. Motion was seconded by Mr Fortson and carried unanimously.

RESOLUTION RECORDED

HOUSEMOVING PERMIT (BEAM)

Motion was made by Mr Parrish to approve Housemoving Permit No. 32 for

ROBERT JOHNSON to move a building for from southeast corner Buckeye Road & Carter Road to 3207 Ellenton-Gillette Road.

Pre-moving #14677

Motion was seconded by Mr Fortson and carried unanimously.

COMMUNITY DEVELOPMENT BLOCK GRANT - COMMITTEE

In connection with the Planning Department's recommendation to appoint a seven member citizens advisory committee to administer pre-application and application (when approved) of the Community Development Block Grant, the Chairman advised that the list of recommended appointees would be routed to each Commissioner for review and recommendation back to the Board the following Thursday.

PLANNING & DEVELOPMENT: "701 PLAN"

The Planning Director recommended, due to staff limitations, current priorities and numerous on-going projects which would negatively affect the level of the County's participation in the 701 Plan, that Manatee County decline the offer to participate in this program at this time.

Motion was made by Mr Parrish to accept the recommendations of the Planning Commission to not participate in the 701 Plan at this time. Motion was seconded by Mr Fortson and carried unanimously.

Mr Carrington said he would prepare a letter for the Chairman's signature advising Tampa Bay Regional Planning Council of the Board's decision.

LAWSUIT: TOMASINO & ASSOCIATES, INC - RELEASE

The County Attorney submitted a Release stating that Tomasino and Associates, Inc, for the sum of twenty-five thousand dollars (\$25,000) totally releases any liabilities Manatee County may have had to Tomasino and Associates from beginning of the world through February 20, 1978. He recommended the Board accept the Release and make it a part of the records.

Cont'd

Motion was made by Fortson to accept the Release, as recommended by the County Attorney. Motion was seconded by Mr Parrish and carried unanimously.

S3-219

53RD AVENUE EAST - CONDEMNATION PROCEEDINGS The County Attorney submitted

RESOLUTION AUTHORIZING PROCEEDINGS FOR THE CONDEMNATION OF REAL PROPERTY

- (1) to acquire in fee simple the right of way for the roadbed for construction of portions of 53rd Avenue East (SR 70) at its intersection with U.S. 30l (SR 683) and East thereof, real property identified as Parcel Nos. 101,102,103,104 and 105;
- (2) authorizing and instructing the attorneys for Manatee County to perform all professional services necessary in connection with said condemnation suit or eminent domain proceedings.

Motion was made by Mr Fortson to adopt the Resolution authorizing the Condemnation Proceedings. Motion was seconded by Mr Parrish and carried unanimously.

RESOLUTION RECORDED S3-220

PUBLIC DRINKING WATER SYSTEMS

Motion was made by Mr Fortson to adopt

RESOLUTION ADOPTING FEE AND ESTABLISHING COLLECTION AGENCY FOR FEES ACCOMPANYING APPLICATIONS FOR PUBLIC DRINKING WATER SYSTEM PERMITS

- (1) Adopting the fees specified in Chapter 77-337 of the Laws of Florida as the proper fee to accompany all applications for review and approval of public drinking water system permits
- (2) authorizing the Manatee County Health Department as the agency to collect said fees.

Motion was seconded by Mr Parrish and carried unanimously.

RESOLUTION RECORDED S3-221

COUNTY ATTORNEY: TRAVEL

Motion was made by Mr Parrish to authorize the County Attorney to travel to Tallahassee, March 14, 1978, and to participate to whatever extent necessary to protect the interest of the County in the Department of Environmental Regulations Public Hearing on the secondary dam requirements in the Beker Phosphate Corp. mining project. Motion was seconded by Mr Fortson and carried unanimously.

COMMUNITY DEVELOPMENT BLOCK GRANT

HIGHWAY - EDA PROJECT

COMMUNITY SERVICE ADMINISTRATION GRANT

Motion was made by Mr Fortson that the Chairman be authorized to sign

- (1) Letter to R.W. Buskirk, Department of HUD, Re:
 Community Development Block Grant No. B-76-CN-12-0038
- (2) ED-112 Form for Highway EDA Project No. 04-51-26729
- (3) Federal Cash Transactions Report for Community Service Administration Grant No. 40056
- (4) Financial Status Report for Community Service Administration Grant No. 40056
- (5) Project Progress Review Report for Community Service Administration Grant No. 40056.

Motion was seconded by Mr Parrish and carried unanimously.

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HIGHWAY: EDA PROJECT (NO. 04-51-26729) - LETTER OF CREDIT

Upon motion by Mr Fortson, seconded by Mr Parrish, the Chairman and the Vice-Chairman were unanimously authorized to sign Payment Voucher on Letter Credit on Barnett Bank of Bayshore, Bradenton, Florida, (draw-down payment in the amount of \$49,531.) in connection with the Highway EDA Project No. 14-51-26729.

BUDGET AMENDMENTS

1

Upon motion by Mr Fortson, seconded by Mr Parrish, resolution was unanimously adopted amending departmental budget by item to item transfer:

HEALTH DEPARTMENT

From: Reserve for Contingency, General Fund

To: Consulting Services (Architect) - \$289.28

RESOLUTION RECORDED S3-222

Upon motion by Mr Fortson, seconded by Mr Parrish, resolution was unanimously adopted amending departmental budget by item to item transfer:

COUNTY COMMISSIONERS

From: Reserve for Contingency

Consulting Services (Proposed Civic Center) - \$30,000.00

✓RESOLUTION RECORDED

S3-223

BOND REDEMPTION ACCOUNT (\$1.650M) - INVESTMENT OF FUNDS Motion was made by Mr Fortson to adopt resolution

Authorizing Inter City National Bank, as Trustee, \$1,650,000 Bond Redemption Account, to purchase a \$10,000 Certificate of Deposit from Inter City National Bank, due 8/30/78.

Motion was seconded by Mr Parrish and carried unanimously. $\prescript{\checkmark}$ RESOLUTION RECORDED

S3-224

Carrier V

MINUTES - APPROVED

To:

Motion was made by Mr Parrish to approve Minutes of previous meetings as follows:

REGULAR SESSION: February 14, 1978 SPECIAL SESSION: February 16, 1978

Motion was seconded by Mr Fortson and carried unanimously.

BILLS FOR PAYMENT

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

Refund: W.G. Mills (one s	set of p	lans) \$		(Proj.	#0601)
Mann and Fay)			855.00		
)			6,112.50		
)			682.50		
)			262.50		
Baran, Stoutameyer & Gimin	nez		8.00		
Lehman, Foley & Schermer			2,379.26		
Professional Ancillary Ser	rvices		200.00		
Manatee Memorial Hospital	(Welfar	:e)]	L9,416.19		
	(OB Cli	nc)	3,517.76		

BONDS

Motion was made by Mr Fortson to approve and accept Bond of Custom Built Homes (Ohio Casualty Ins Co.) - \$4,816.00 Driveway Permits: Nos. 3626,3627,3628,3629,3630, 3631 and 3632.

Motion was seconded by Mr Parrish and carried unanimously.

WARRANT LISTS

Motion was made by Mr Fortson to approve Warrant Lists from February 28, 1978 to March 7, 1978, and to authorize Warrant Lists to March 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.

COUNTY CIVIC CENTER - ADVISORY COMMITTEE

Chairman Driggers announced that the members of the Advisory Committee, appointed by the Board last week (County Civic Center), have all been contacted, and have accepted the responsibility and a meeting is set for Thursday noon (3/9/78). Mr McClure recommended the County Attorney attend the first meeting of the committee to furnish any legal guidance. Mr Driggers advised that John Harllee has volunteered to serve on the Board as an alternate member.

Mr Fay advised that he is in the process of reviewing a "Manatee County Civic Center Authority" (based on Orange County) drafted by State Representative Patrick Neal who plans to submit it as a Special Act to the Legislature.

MANATEE COUNTY TOURIST DEVELOPMENT COUNCIL

Chairman Driggers made reference to previous meeting (1/24/78) wherein a recommendation was made and names submitted to form a Committee (to act as an Advisory Committee to the Board) in connection with the Resort Tax; that the only name change received from any Board Member since that time is Buster (0.M.) Griffith to serve as a member who would be interested in tourist development. He said if there were no objections this would be the official committee, which would be activated so it can submit recommendations to the Board for consideration as to whether or not to go to referendum in November for the Resort Tax. There were no objections. Mr McClure recommended the County Attorney attend the first Commitee meeting to provide any necessary legal guidance.

PROCLAMATION: RED CROSS MONTH

Motion was made by Mr. Fortson, seconded by Mr McClure and carried unanimously to join the President of the United States of America in proclaiming the Month of March 1978 as Red Cross Month in recognition of the services performed by the Manatee County Red Cross.

/ PROCLAMATION RECORDED S3-225

COUNTY EMPLOYEE: (BRIEDENBACH) - PLANNING & DEVELOPMENT

Correspondence from David L. Forkner, Assistant Director, Planning and Development Department, relaying request by Ruth V. Breidenbach, Secretary II, to engage in secondary employment on Saturdays and Sundays was referred to the Personnel Director for research and recommendation.

(PHOSPHATE) MINING: MONITORING; AIR QUALITY

In connection with previous discussion regarding possibility of DER (Department of Environmental Regulations) funding and staffing positions to monitor phosphate mining, Chairman Driggers noted that correspondence received from Representative Pat Neal indicates DER will possibly allocate and fund three additional positions (in Southwest Water Management District) dealing with (1) Air (2) Drinking Water and (3) Water. Since none of these positions were in the field of monitoring phosphate activities, Mr Driggers recommended that the Board pursue the idea of employing a person to do this (monitoring).

Mr Fortson suggested that a person qualified to handle the monitoring position might also be qualified to handle the Air Quality matter, thereby eliminating the need to employ a consultant and he recommended discussing this matter with Mr Randall (Pollution Control). Mr Fletcher was instructed to set a work session for such discussion.

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MANATEE MEMORIAL HOSPITAL - BOARD OF TRUSTEES

Motion was made by Mr Fortson to accept with regret the resignation of Ralph E. DeBoer, Chairman, Board of Trustees, Manatee Memorial Hospital, effective April 1, 1978, and that the Chairman be authorized to write him a letter of appreciation. Motion was seconded by Mr Parrish and carried unanimously.

GLEN COVE HEIGHTS SUBDIVISION

In compliance with the request expressed in letter from P.B. Hamilton dated 2/20/78, Attorney for Robert D. Godwin, Petitioner, motion was made by Mr Fortson to accept withdrawal of petition for the Vacation of a portion of 46th Street East and Cul-de-sac in Glen Cove Heights Subdivision. Motion was seconded by Mr Parrish and carried unanimously.

COUNTY ADMINISTRATOR - APPLICANT SCREENING

Motion was made by Mr Fortson to authorize the Personnel Director to proceed with checking the references submitted by the top fifteen applicants for position of County Administrator. Motion was seconded by Mr Parrish and carried unanimously.

MEETING ADJOURNED

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

APPROVED:

Photo Clerk Souis E. Driggers
Chairman