

MARCH 14, 1978

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, March 14, 1978, at 9:05 a.m.

Present were Commissioners
Louis E. Driggers, Chairman
Dan P. McClure, Vice Chairman
Lamar S. Parrish
Robert W. Fowinkle, III

Also present
John D. Sands, Deputy Clerk

Absent: Commissioner L.H. Fortson, Jr
E.N. Fay Jr, County Attorney, entered during the meeting

The meeting was called to order by the Chairman.

Invocation by Reverend Vernon McQueen, Pastor, United Methodist Church, Oneco.

PARTICIPATION PROJECTS NOS. 947 & 964

In submitting status report on Participation Projects No. 947 and No. 964, Robert Moon, Right of Way Agent, stated that negotiations for right of way property is in process and further information will be provided the Board as it becomes available.

PURCHASING DEPARTMENT

William Mullon, Purchasing Director, submitted recommendations as outlined in his letter dated March 10, 1978.

LIBRARY

A.3 Sod (Bid No. 78-03)

- a. Award to lowest responsible bidder - Ebersole Sod Farms - for certified St Augustine Floritam grass at \$.11 per square foot

It was explained by a member of the Parks and Recreation Department that St Augustine Floritam is recommended over the Argentina Bahai because there are large shaded areas on the Library grounds and St Augustine grass is more suited to dense shade.

Motion was made by Mr Fowinkle to award the bid to Ebersole for St Augustine sod at 11¢ per square foot. Motion was seconded by Mr Parrish and carried unanimously.

Motion was made by Mr McClure that the Parks and Recreation Director be instructed to maintain the beautification program (grass and ornamentals) at the new Library within his present budget. Motion was seconded by Mr Fowinkle and carried unanimously.

(Enter Mr Fay)

PURCHASING DEPARTMENT

A.1 Publication of Legal Ads (Bid No. 78-40)

- a. Award to lowest responsible bidder - The Islander

The Chairman noted that this is the Purchasing Department Legal Ads only, and following discussion, Mr Parrish requested deferral for one week and he would seek more input from other area newspapers. There was no objection.

MANATEE COUNTY UTILITIES SYSTEM

A.2 Ground-D Water System (Wellpointing)

- a. Waive bid procedure
- b. Acquire

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- c. Approval of Requisition #09166
- d. Approval of P.O. #12342 to Vacuum Under-Drain, Inc.,
for \$4,013.25

Motion was made by Mr McClure to approve the request, with a letter of justification for the waiver of procedure. Motion was seconded by Mr Fowinkle and carried unanimously.

DEFERRED ITEMS PENDING REVIEW

- B.1 Eligibility Application for Public Agencies -
Federal Surplus Property Utilization Program
 - a. Chairman execute necessary forms

Motion was made by Mr Fowinkle that the Chairman be authorized to execute Agreement for Acquisition of Surplus Property. Motion was seconded by Mr Parrish and carried unanimously.

NOTE: The following documents constitute Eligibility Application:

Application Form with Attachments =

- 1) Survey of property needs
- 2) Assurance of Compliance (Civil Rights)
- 3) Authorization Document:
(Agreement regarding purpose, purchase, etc, and designating

William S. Mullan

Bill J. Baird

as persons authorized to sign for and receive property and commit the expenditure of funds.)

RECORDED

S3-227

PARKS & RECREATION - MARSHALLING SITE
BRADENTON DREDGING & SHELL CO.

The County Attorney submitted a Certificate of Insurance issued by Wyman-Green-Blalock Insurance Company on Bradenton Dredging & Shell Company (from whom the County is leasing property as a marshalling site for Parks & Recreation Department materials) and stated that the Company is adequately insured.

Mr Mullan advised that although no executed Lease has been received from Bradenton Dredging, the County is using the property, and rental invoices will be submitted for payment at the next regular session of the Board. (The Certificate of Insurance was given to Mr Mullan.)

59TH STREET PARK; JESSIE P. MILLER SCHOOL HANDBALL COURTS

The Purchasing Director advised that architectural drawings of the 59th Street Park restrooms and the Jessie P. Miller School handball court projects have been received from the architect and are ready to be advertised for bids.

Upon question as to whether this was the responsibility of the County or the Architect, the Chairman declared action deferred until a research has been made of the Architect's contract.

GRANTS DEVELOPMENT DEPARTMENT

Regis Chapman, Director, Grants Development Department, submitted for approval recommendations outlined in his letter dated March 14, 1978.

- 1. CETA Agency Participation Agreement between the Florida Farmworkers Council and the Grants Development Department
AGREEMENT RECORDED SS
- 2. CETA Title II Occupational Summary:
Grants Services Division: Add 1 Grant Coordinator/Planner at \$4.80 an hour

- Human Services Division: Add 1 Clerk Typist II at \$289 an hour
3. Resolution authorizing transfer of funds in the amount of \$96.00 (to resolve wage discrepancy) from Contingency Account to CETA Expenditures.
 4. Projects for funding for Anti-recession Fiscal Assistance Entitlement Payment Quarter 7:

Accounting Subsystems, Clerk of Circuit Court:	\$15,000
Resurfacing, Highway Department	47,193
Total Entitlement	\$ 62,193

 and that \$10,000 be reserved from the Entitlement Payment Quarter 8 allocation for Consultant evaluation and design services (required by Planning and Development Department) in connection with the Public Buildings and Related Facilities element of the Comprehensive Plan.
 5. Authorizaton for the Grants Department to develop capital grant application to be submitted to Urban Mass Transit Administration, U.S. Department of Transportation on behalf of the County Transit Department for purchase of two additional buses.

Motion was made by Mr Fowinkle that Items 1 through 5 be approved as outlined by the Grants Director. Motion was seconded by Mr Parrish and carried unanimously.

6. As a matter of information, Mr Chapman advised that an allocation of \$445,548 for the 1978 CETA Title III Summer Youth Prgram Grant has been received; and that this will provide funds for employment and training for an estimated 600 low income youth this summer.

✓ PERSONNEL: CONSOLIDATION SHEETS

Upon motion by Mr Fowinkle, seconded by Mr Parrish, the Personnel Consolidation Sheets (New Hires, Salary Changes, New Hires and Miscellaneous/Travel Authorization) were unanimously approved as submitted by the Personnel Director.

✓ HEALTH DEPARTMENT - AMBRUSKO

Upon motion by Mr McClure, seconded by Mr Parrish, payment of the County Health Director's (Dr John Ambrusko) annual professional dues in the amount of \$600 was unanimously approved, as follows:

County Medical Society	\$175.00
Florida Medical Association	175.00
American Medical Association	250.00

✓ ANIMAL CONTROL/COUNTY CEMETERIES

GARDINER: CONTRACT (SUPPLEMENTAL EMPLOYMENT)

The County Attorney submitted Supplemental Employment Contract whereby William Gardiner, shall assume the duties and responsibilities of the Animal Control Department and Assistant Sexton of County Cemeteries, in addition to his employment as Rabies Control Supervisor in Manatee County as part of District 6, Florida Department of Health and Rehabilitative Services. The County will compensate him \$1,500 (in a manner consistent with Personnel Policy and payroll practices) each fiscal year said Agreement is in full force and effect.

Motion was made by Mr McClure to approve the contract. Motion was seconded by Mr Parrish and carried unanimously.

✓ CONTRACT RECORDED

S3-228

✓ PERSONNEL: (EXCEPTION TO POLICY) - ZIMMERMAN

The Personnel Director relayed a request from D.E. Pittman, Director, Manatee County Utilities System, with recommendation that the Board give favorable consideration to an "exception to policy" that would permit payment for 79.7 hours of accrued vacation time to Richard L. Zimmerman, an MCUS employee "in good standing" at time of his voluntary termination on 2/6/78 without giving proper notice because he was not aware of this aspect of County Personnel Policy.

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Motion was made by Mr Parrish to approve the request to pay the accrued leave time. Motion was seconded by Mr Fowinkle and carried unanimously.

✓ HIGHWAY AND ENGINEERING: TRAVEL

Upon motion by Mr McClure, seconded by Mr Fowinkle, travel and lodging expenses were unanimously approved for Frank Pearson, Highway and Engineering, to attend a Traffic Control Seminar in Tampa, March 20-21, 1978.

✓ STATE ROAD 684 - MCUS USE PERMIT

Motion was made by Mr McClure to adopt Resolution authorizing application to State Department of Transportation for use permit to install utility lines in Right of Way of State Road 684, Section 13140. Motion was seconded by Mr Parrish and carried unanimously.

✓ RESOLUTION RECORDED S3-229

✓ TERRA SIESTA MOBILEHOME PARK - SEWAGE VIOLATION

The County Attorney stated that he concurred with the recommendation of O.E. Randall, Pollution Control Director, (memo dated March 7, 1978) that violation of sewage plant rules by owner of Terra Siesta Mobilehome Park be referred to Attorney E.T. Mulock for appropriate legal action.

Following discussion, Mr Parrish requested action be deferred one week so that he could discuss the matter with Joe Emerson, owner of the mobilehome park, and make a recommendation to the Board. There was no objection.

✓ FLORIDA HIGHWAY PATROL - OPTION TO PURCHASE SITE

The County Attorney referred to his letter to the Board, dated March 8, 1978, regarding

Option to Purchase between Vernon E. Baker and Ruth Ann Baker, his wife, and the County of Manatee, Florida, covering that property on State Road 70 (Oneco-Arcadia Highway), dated August 2, 1977
(site for Florida Highway Patrol)

and recommended authorization of following payments in connection with the closing transaction:

1. To the Clerk of Circuit Court for the documentary stamps and documentary surtaxes on the proposed Warranty Deed and for the recording of said Warranty Deed in the amount of: \$ 229.50
2. Harrison, Harllee, Porges & Mastry, attorneys for Vernon E. and Ruth Ann Baker in the amount of 51,977.79

and that the Clerk of Circuit Court be instructed to deliver the warrants, checks or other documents evidencing said payments to the office of the County Attorney to be held in trust pending the closing transaction anticipated for March 21, 1978.

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

✓ BUDGET AMENDMENTS

Upon motion by Mr McClure, seconded by Mr Fowinkle, Resolutions (6) were unanimously adopted authorizing amendment of departmental budgets by item to item transfers as follows:

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GRANTS DEVELOPMENT DEPARTMENT (CETA)

From: Reserve for Contingency
To: Refund to Prior Year Expenditures CETA \$ 96.00
(Audit - Sarasota-Bradenton Airport) ✓ S3-230

GRANTS DEVELOPMENT DEPARTMENT CETA TITLE III

From: Various Accounts - YCIP and Mosquito Control
To: Various Accounts - YCCIP; Mosquito Control: Anna
Maria Community Center; Long-
boat Key Youth Center 43,783.00 S3-231

GRANTS DEVELOPMENT DEPARTMENT

From: Various Accounts - Incl. Tr. to MCSB, Fla Empl. Services
To: Various Accounts - Incl. Tr to MCSB, Fla Employment
Services 692,624.00 S3-232
✓ RESOLUTIONS RECORDED

SUPERVISOR OF ELECTIONS

From: Reserve for Contingency
To: Rents & Leases \$ 6,200.00 S3-233
✓ RESOLUTION RECORDED

TRANSIT DEPARTMENT

From: Reserve for Contingency
To: Capital Outlay 16,500.00 S3-234
✓ RESOLUTION RECORDED

and to provide for receipt and appropriation of unanticipated revenues

TRANSIT DEPARTMENT

Increase Revenue: UMTA FL05-0009; State Match
Transfer to General Fund 165,000.00

Increase Expenditure: Road Equipment;
Contingency 165,000.00 S3-235
✓ RESOLUTION RECORDED

MINUTES (APPROVED)

Upon motion by Mr McClure, seconded by Mr Fowinkle, Minutes of previous meeting REGULAR SESSION: February 28, 1978 were unanimously approved.

BILLS FOR PAYMENT

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

Warren Bros.(Proj. #1142)	\$47,321.89
(Chairman authorized to sign ED form 112)	
Mann & Fay	562.50
Manatee Memorial Hospital	45.00
E.T. Mulock	290.50
Refunds: Sheila R. Mitchell (OB)	75.00
Thomas Bell (for Sheila Mitchell)	75.00
Dist. Medical Exam. (Sarasota Hosp)	50.00

BONDS

Motion was made by Mr McClure to accept and approve bonds as follows:

Sheriff Department
Public Employees Blanket Bond (Auto-Owners Ins. Co. #767012-20210325)

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Additions: / William B. Steube IV - Patrolman
 / Dorothy G. Searson - Secretary
 / William E. Meads, Jr)
 / Jacob J. Gunther)
 / William F. DeLance Jr) - Mounted Posse
 / Earl M. Carlton)
 / Edgar D. Lane)
 / Lewis E. Peters - Property & Evidence
 / Donna L. Fletcher - School Crossing Guard
 / Mary F. Price - School Crossing Guard
 / Phyllis Heinzman - PT Bookkeeper

Deletions: / Stephen Murray)
 / Landon S. Gibbs) - Deputies
 / Douglas W. Betts)
 / Morris Hill - School Crossing Guard

- Driveway Permit No. 3760

Accept: GULF COAST INVESTORS (Rhonda L. Hayes)
 Cash Bond and Money Order No. 038223 - \$250.00

- Moving & Alteraton of Building

Bonded Housemovers, Inc.,
 (Robert Walton for
 CARRIE WILLIAMS) - Auto Owners - \$1500
 To move a building from 806 30th St W. to 2705 &th Ave E., Palmetto
 Pre-Moving No. 14250; Moving No. 14935

Motion was seconded by Mr Parrish and carried unanimously.

WARRANT LISTS

Motion was made by Mr McClure to approve Warrant Lists from
 March 7, 1978 to March 14, 1978, and to authorize Warrant
 Lists to March 21, 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.

CORAL SHORES EAST, UNIT II

Based upon the certification of Dan Zoller, Engineer of Record
 for the project, and the recommendation of the Director of Highway
 and Engineering, streets and drainage improvements in Coral
 Shores East, Unit II were unanimously accepted for County maintenance
 and Performance Bonds in the amounts of \$8,195.00 & \$4,583.34
 released.

COUNTY CIVIC CENTER

Chairman Driggers announced that the recently appointed members of
 the County Civic Center Committee held an organizational meeting
 at the Pier Thursday, March 9th, and elected officers as follows:

Harold Haley	-	Chairman
Kenneth Barnaby	-	Vice Chairman
Vernon DeSear	-	Second Vice Chairman
Joe Garrett	-	Secretary

Public notification will be given prior to each meeting and
 Minutes will be recorded for public viewing.

RECESS

Following a brief recess the meeting was reconvened with all the
 members present except Commissioner Fortson and Mr Sands.

(Enter Ralph Umana, Deputy Clerk)

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SEWER SYSTEM (No. 20A, Part "F", Section III)

Motion was made by Mr McClure to accept the recommendation (by letter from Russell & Axon, dated 3/8/78) Certifying Gravity Sewer System No. 20A, Project No. 630-661-01 Part "F", Section III. Motion was seconded by Mr Fowinkle and carried unanimously. (Accepted and executed by Volusia Construction Co., Inc, Agent for Auto-Owners Insurance Company)

ZONING

Recommendations of the Planning Commission were submitted by Charles C. Carrington, Director, Planning Department, and Bill Swann, Assistant.

R-880 WILLIAM ROSS & THERON ARNOLD - DEFERRED

Request: To change the present zoning from M-2 & A to R-1AA on 40+ acres at 30th Avenue E. and 27th Street E. for duplexes.

Planning Commission recommended DENIAL, based on incompatibility to surrounding industrial, agricultural/commercial uses of area.

The Planning Director stated that two letters in opposition are on file and four persons spoke in opposition at the public hearing.

Roger Conley, Attorney for the Owners, stated that if the rezoning application is rejected, his clients request they be allowed to withdraw this petition and submit a new one requesting rezone to Heavy Industrial, and possibly approach the school board about expanding the school bus compound.

The Chairman declared R-880 deferred indefinitely to permit the developers an opportunity to talk with the school board.

R-881 KENNETH D. & S.N. OLSON - DEFERRED

Request: To change the present zoning from R-1A to Professional district on 0.89 acre at 5516 21st Avenue W to be used as a tutoring center and real estate office.

Planning Commission recommends DENIAL, based on spot zoning for area.

The Planning Director said the owner has written a letter requesting a 30-day deferral, and he recommended R-881 be deferred to 4/17/78.

Motion was made by Mr Parrish to defer R-881 to April 17th. Motion was seconded by Mr Fowinkle and carried unanimously. (Correction: Deferred to April 18th)

SE-1087 THEODORE WILSON, ET UX - GREENHOUSE APPROVED

Request: Special exception to permit a greenhouse 35' x 90' or smaller on Lots 10 & 11 and the south 5 feet of Lot 12 at 80th St. Ct. NW and 9th Ave NW on .035 acre.

Planning Commission recommends APPROVAL for five years with additional five years to be granted at administrative discretion of Planning Director, provided area has not changed substantially.

Motion was made by Mr McClure, that based on recommendations of the Planning Commission, SE-1087 be approved and appropriate resolution adopted. Motion was seconded by Mr Fowinkle and carried unanimously.

RESOLUTION RECORDED

SE-1090 ANTHONY TRICOMI - COP - APPROVED

Request: Special exception to permit sale of beer and wine for consumption on premises

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in conjunction with restaurant. (delicatessen)
Planning Commission recommends APPROVAL.

Planning Director said three letters in favor of SE-1090 are on file; there were none in opposition.

Motion was made by Mr McClure to approve SE-1090 and adopt the appropriate resolution. Motion was seconded by Mr Fowinkle and carried unanimously.

RESOLUTION RECORDED

SE-1091 LNC DEVELOPMENT CORP. - DEFERRED
(Agent: Gordon Sullivan) Request: Special exception to permit sale of beer and wine for consumption on premises (Phil's Steak & Hoagie #9) on 6.64 acres at 5627 14th St. W.
Planning Commission recommends APPROVAL.

In response to Mr Driggers' recommendation that the request be denied due to his personal objection to sale and consumption of alcoholic beverages within a shopping complex, Gordon Sullivan, petitioner, stated that the stores in this particular shopping center are not merchandising stores that would attract children (such as a Savings & Loan Association, Car Leasing, Finance Store, Photography Store, etc) and that the grocery store (Grand Union) is at the opposite end of the complex from Phil's Steak and Hoagie Shop.

Upon Mr McClure's request and no objection from other members of the Board, SE-1091 was deferred to the following Thursday.

SE-1092 GEORGE W. HUMPHREY - MOBILEHOME - APPROVED
(Robert Boylston, Agent) Request: Special Exception to permit a mobile home as a single family dwelling on 5.56 acres north of Golf Course Road and east of Sand Road.
Planning Commission recommends APPROVAL for 5 years with additional 5 years to be granted at the administrative discretion of the Planning Director.

Hugh McGuire, Attorney, representing Mr and Mrs Humphrey was present to answer any questions on SE-1092.

No one spoke in opposition.

Mr Parrish recommended and moved that SE-1092 be approved, but for a period of 3 years, with additional 3 years, instead of 5 with additional 5 years, and appropriate resolution be adopted. Motion was seconded by Mr McClure and carried unanimously.

RESOLUTION RECORDED

77-S-7(P) THE FAIRWAYS AT CONQUISTADOR, UNIT II - APPROVED
Request: Preliminary plan approval of 15 single family lot subdivision on 5.62 acres at north of and adjacent to the Fairways of Conquistador Subdivision.
Planning Commission recommends: APPROVAL with waiver of sidewalks and recreation requirements.

Highway Department has no objections, provided all drainage easements be shown as continuous and extending to positive outfall that can be maintained practically and legally.

Motion was made by Mr Fowinkle to approve 77-S-7(P) as recommended by Planning Commission. Motion was seconded by Mr McClure and carried unanimously.

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78-S-2(P) GATE CREEK ACRES - APPROVED

Request: Preliminary plan approval of 49 single family lots subdivision on 60 acres located 3200 ft north of SR 64 on the east side of Upper Manatee River Road. Planning Commission recommends APPROVAL with waiver of sidewalks requirements due to rural nature of the area.

Motion was made by Mr McClure to approve 78-S-2(P) as recommended by the Planning Commission. Motion was seconded by Mr Fowinkle and carried unanimously.

W.R. GRACE PHOSPHATE CO.

The Planning Director relayed a request from the attorney for W.R. Grace Company that the discussion of pre-mining activities of that phosphate company be deferred one week. There were no objections.

CAYMAN TOO SUBDIVISION

Because of incorrect wording in the Resolution adopted 6/14/77 approving Cayman Too (77-S-13) wherein the resolution reads "single family residences" instead of "duplexes" Mr Carrington requested that a new Resolution be adopted.

The County Attorney was instructed to prepare appropriate amended resolution rescinding the previous resolution for consideration by the Board.

MEETING ADJOURNED

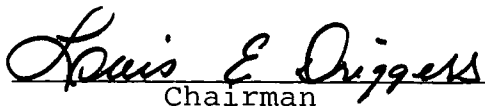
There being no further business, the meeting was declared adjourned.

Attest:

APPROVED:



Clerk



Chairman