

JUNE 15, 1978

The Board of County Commissioners of Manatee County, Florida, met in SPECIAL SESSION in the Court House in Bradenton, Florida, Thursday, June 15, 1978 at 9:10 A. M.

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

Also present were
 E. N. Fay, Jr., County Attorney
 Ralph Umana, Deputy Clerk, representing R. B. Shore, Clerk

Commissioner Robert W. Fowinkle was not present.

Members of the press present were: Betty Kohlman, St. Petersburg Times; Dean Edwards, WTRL; Elliott Berkowitz, Bradenton Herald; and Russ Roberts, Sarasota Herald Tribune; and other members of the news media entering during the meeting.

The meeting was called to order by Chairman Driggers.

MANATEE MEMORIAL HOSPITAL: MEDICAL/PROFESSIONAL BUILDING

Bently Lang, Administrator, and Joe Garrott and Jim Moore, Members of the Board of Trustees, Manatee Memorial Hospital, appeared before the Board to review the Professional Office Building (Medical Center) proposed on or in the proximity of the Manatee Memorial Hospital grounds.

Mr. McClure reported that Sidney Wilkinson, architect, had reiterated the position of his principals not to continue with the project, and from their standpoint considered the project terminated; that due to lack of private investors and, in the interest of providing for the financial and medical needs of the Hospital and the community, recommended that the Board of Trustees and the Hospital Administrator be instructed to proceed with the overall development of the facility, financing plans and acquisition of the land necessary for the parking areas.

Mr. Garrott, in reviewing the project to date, stated that if options, obtained by Mr. Wilkinson on property adjacent to and across from the Hospital, is exercised, the estimated cost, including construction of the proposed five-story building, would be between three and one-half and four million dollars.

Motion was made by Mr. McClure to instruct the Board of Trustees to proceed with the preliminary drawings, cost estimates and financing plans for the facility, and to communicate with Sidney Wilkinson regarding securing the options and develop a financial plan for exercising those options, and to keep this Board apprised of the progress. Motion was seconded by Mr. Fortson and carried unanimously.

Upon question, it was clarified that the motion included authorization to secure an architect as this is necessary in order to proceed with the preliminary plans and drawings and that this will be done through the Negotiations Act procedure.

At the request of Mr. Garrott for assistance in obtaining appraisals of the properties under option, he was advised that Bob Moon, County Right-of-way Agent, would be made available as well as any other County Department that can be of assistance.

ZONING: WASHINGTON PARK AREA

It was brought to the attention of the Board that residents of the Washington Park Area have traditionally been allowed to raise farm animals (chickens, ducks, turkeys, cows, mules, etc.); that as a

of a neighborhood feud one individual wants the zoning ordinance enforced against his neighbor. Inasmuch as strict enforcement of the zoning ordinance would probably remove this privilege, the County Attorney was requested to review the zoning ordinance and determine what action is necessary to allow the continuation of these activities.

CEDAR HAMMOCK EXPRESSWAY - MAJOR THOROUGHFARE PLAN

Charles Carrington, Planning Director, and Bob Pierro, Highway Department, appeared before the Board regarding the proposed Cedar Hammock Expressway, which is included in the Major Thoroughfare Plan. Saul Paster, whose property is the last access to 75th Street off the proposed expressway, would like to develop his property and has raised the question as to whether or not the County intends to proceed with the project.

Bob Pierro expressed the need for an East-West corridor in the County. He said the easements and rights-of-way for the Expressway and the Cedar Hammock Canal are presently combined and if the Expressway is deleted he would request that the Highway Department be authorized to obtain drainage easements along the Canal so it can be maintained.

Mr. Fortson pointed out that if the 59th Street Park is developed the Expressway would not be feasible as it bisects that area. In addition, the County is not in a financial position to proceed at this time and cannot restrict development by property owners unless the County is prepared to purchase the property. He recommended deletion of the Expressway from the Major Thoroughfare Plan.

Following discussion, motion was made by Mr. Fortson to authorize the County Attorney to prepare the necessary document(s) deleting the Cedar Hammock Expressway from the Major Thoroughfare Plan. Motion was seconded by Mr. Parrish and carried unanimously.

STEERING COMMITTEE FOR PROPOSED REGULATORY CONTROLS

As a part of the Comprehensive Plan, Mr. Carrington requested appointment of a steering committee to review the County's regulatory ordinances and procedures. The Board reviewed the recommendations of the Planning Director, submitted by letter dated May 25, 1978, on appointments of representatives from various areas of business. Other suggestions were made and Mr. Carrington was asked to contact the following people to serve:

Architecture:	Sidney Wilkinson	Environmental:	Bill Hamilton
Engineering:	Dan Zoller	Real Estate:	Bud Green
Legal:	Edward Reid	Bankers:	Jim Heagerty
Surveyor:	William Roberts	Business:	Bud Reasoner
Builders:	C. M. Rowlett	Industry:	C. D. Beaumont
		Agri-Business:	Glen Fleming Robert Dien

PURCHASING

The following requests and recommendations were submitted by letter dated June 15, 1978 from William Mullan, Purchasing Director:

Manatee County Utilities System (MCUS)

- A.1 1-ton Cab & Chassis with utility body (Bid No. 78-64)
 - a. Award to lowest responsible bidder - Dick Courteau's GMC Truck Co. - \$7,901.53.

Emergency Medical Service (EMS)

- A.2 Type I Ambulance
 - a. Purchase in accordance with grant agreement dated March 21, 1978.
 - b. Authorize the Clerk's office to prepare required Budget Resolution for transfer of funds.

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In addition, Mr. Mullan made the following verbal recommendation:

South County Library (Remodeling)
Air Conditioning System
 a. Advertise for bids.

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

WATER & SEWER BONDS: PAYING AGENT/TRUSTEE

By letter dated June 12, 1978, William C. Gaar, Vice President, Southeast Banks Trust Company, referred to designation of Southeast National Bank of Bradenton as paying agent and trustee for certain segments of the recently approved Water and Sewer Bonds, and requested the Board to replace the nomination of that bank with Southeast Banks Trust Company, N.A. William Nevin, Jr., President of the Southeast National Bank of Bradenton, explained that the Southeast Banks Trust Company, N.A. is an affiliate and handles their trust accounts and it would be more efficient in their organizational structure if they are designated.

Motion was made by Mr. McClure to set aside the appointment and designation of Southeast National Bank of Bradenton as paying agent for the Revenue and Refunding Bond Issue and Bond Anticipation Notes and that the Southeast Banks Trust Company, N.A., be designated and appointed as the paying agent and registrar for both obligations. Motion was seconded by Mr. Parrish and carried unanimously.

VOTING MACHINES - SUPERVISOR OF ELECTIONS

In connection with a letter from Jerome Davis, Supervisor of Elections, requesting that a letter of intent be sent to Diamond International on the purchase of voting machines, it was suggested that a letter be prepared by Mr. Davis advising Diamond International that it is the intent of his office to recommend to the Board of County Commissioners that the voting machines be purchased and that the Board is in process of obtaining permission from the Secretary of State. There were no objections.

STATE ROAD 683 (US 301) - MCUS PERMIT

Upon motion by Mr. McClure, seconded by Mr. Parrish, Resolution was unanimously adopted authorizing execution of application to the State Department of Transportation for Manatee County Utilities System to construct, operate and maintain a transmission main across the Right of way of State Road 683, Project No. 13120-3506. Motion was seconded by Mr. Parrish and carried unanimously.

RESOLUTION RECORDED S4-756

LIFT STATION FAILURE - FLOOD DAMAGE CLAIM (MESSER)

D. E. Pittman, MCUS Director, reported that due to lift station failure (caused by electrical failure) the area of Hillcrest and Harbor Drive was flooded, causing damage to the home of Lewis Messer. The Messers are claiming \$739.93 in damages. The Insurance Company, Hartford, responded to the claim on June 19, 1978, with the determination that "negligence rests upon someone other than the Utilities System". He said that the one-year warranty of Woodruff & Sons, contractor, had expired.

The County Attorney was instructed to review the insurance policy and the Bond Issue involved with a view toward paying the Messers for the damages and being reimbursed through the insurance company.

WASTEWATER TREATMENT PLANT - ODOR COMPLAINT

Having investigated the complaint from the Ironwood Owners Association regarding the odors from the wastewater treatment plant, the Utilities Director said three odor-causing sources were discovered. In addition the Wastewater Treatment Plant, odor is coming from an area south of 53rd Avenue where raw sewage is dumped by the septic tank companies and from sludge dumped by the City of Bradenton at 59th Street (at request of Parks and Recreation Department and has been tilled into the ground). Mr. Pittman said he would respond to the letter.

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MUNICIPAL AUDITORIUM: AGREEMENT

The County Attorney submitted Municipal Auditorium Financial Assistance Agreement Addendum, executed by the City of Bradenton on June 14th, 1978. (Executed by this Board on June 1, 1978.)

AGREEMENT RECORDED

S4-157

59TH STREET PARK: LEASE

In submitted the Lease Agreement on the 59th Street Park, executed by the City of Bradenton on June 14, 1978 (executed by this Board on May 11, 1978), Mr. Fay reported that the lease had been changed editorially and initialled by Mayor Leach and Mr. Eyman, City Clerk, striking through that portion which read "City agrees not to reasonably withhold such approval" (referring to approval of buildings and structures erected on the premises). Mr. Fay said this change was made even though the motion by the City Council was to approve and execute the lease as prepared and submitted and that he would write a letter to the City stating that he is aware of the change.

LEASE RECORDED

S4-158

PARRISH SCHOOL LEASE - COMMUNITY CENTER

Motion was made by Mr. Parrish to approve the Lease Agreement between Manatee County and the School Board for the lease of the Parrish School building for a period of twenty years beginning June 20, 1978, at the rate of \$1.00 per year, for the purpose of operating a public community center, public rural health care center, community volunteer fire department facility and such other uses as approved by the School Board. Motion was seconded by Mr. McClure and carried unanimously.

LEASE RECORDED

S4-159

LAWSUIT: SIMANONOK

By letter dated June 13, 1978, the County Attorney reported that an Amended Complaint was filed by Joseph E. Simanonok joining Manatee County, Florida, as a party Defendant in his lawsuit against Dudley E. Pittman, Utilities Director, in which he is denying any responsibility for paying fees for sewer charges on the basis that he is not connected to the County Sewer System. He recommended that his office be authorized to represent the County in this suit.

Motion was made by Mr. Parrish to approve the recommendations as set forth in the letter from the County Attorney. Motion was seconded by Mr. Fortson and carried unanimously.

I-75 INTERCHANGE AT STATE ROAD 64 - DER PERMIT

Mr. Fay read a proposed resolution to be filed for a public hearing before the Division of Administrative Hearings ON THE Petition ✓ filed by the Izaak Walton League for Leave to Intervene in the issuance of a permit by the Department of Environmental Regulation to the Florida Department of Transportation in connection with the construction of Interstate 75 at the State Road 64 interchange (Cypress Creek Salt Marsh).

Upon motion by Mr. Parrish, seconded by Mr. McClure, Resolution was unanimously adopted Supporting the Issuance of A Permit by the Florida Department of Environmental Regulation to the Florida Department of Transportation in Connection With the Construction of Interstate Highway 75.

RESOLUTION RECORDED

S4-160

MANATEE OPPORTUNITY COUNCIL

Request by Manatee Opportunity Council, dated June 15, 1978, for waiver of fees to utilize the County Landfills for the disposal of debris was deferred to give Mr. Fowinkle an opportunity to review the request.

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HOLMES BEACH, CITY OF - DOUBLE TAXATION

Motion was made by Mr. McClure to receive the letter from the City of Holmes Beach forwarding Resolution #78-33, adopted by the City Council on June 6, 1978, on the issue of double taxation, and that it be referred to the County Attorney. Motion was seconded by Mr. Parrish and carried unanimously.

MEETING ADJOURNED

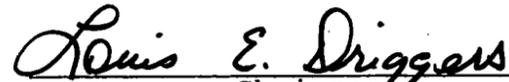
There being no further business the meeting was declared adjourned.

Attest:



Clerk

APPROVED:



Chairman