

JUNE 22, 1978

The Board of County Commissioners of Manatee County, Florida, met in SPECIAL SESSION in the Court House in Bradenton, Florida, Thursday, June 22, 1978, at 9:40 a.m.

Present were Commissioners:

Louis E. Driggers, Chairman
L. H. Fortson, Jr. (Departed during meeting)
Lamar S. Parrish
Robert W. Fowinkle

Also present were:

E. N. Fay, Jr., County Attorney
L. Frappier, Deputy Clerk) Representing R. B. Shore
Mike Riordan, Finance Director) Clerk of the Circuit Court

Commissioner Dan P. McClure was not present.

Members of the press present were: Betty Kohlman, St. Petersburg Times; Mike Todd, Sarasota Herald Tribune, and other members of the news media entering during the meeting.

The meeting was called to order by the Chairman.

PHILLIPS PETROLEUM COMPANY/PHOSPHATE MINING (DRI-7/SE-842)

The County Attorney submitted for the record a copy of Notice sent to the interested parties notifying them that the Board would be considering today adoption of a proposed Resolution Clarifying The Resolution Rendering A Development Order Dated July 7, 1976, (DRI-7/SE-842) in connection with the Application for Development Approval of a Development of Regional Impact and the Application or Petition to Extend or Revise an Existing Special Exception, Together with an Application for Approval of a Mining Master Plan by Phillips Petroleum Company.

Jacob D. Varn of Carlton, Fields, Ward Emmanuel, Smith and Cutler, P.A., and William C. Grimes of Grimes, Goebel, Parry, Blue, and Boylston, Attorneys for Phillips Petroleum Company, summarized that the parties to the appeal before the Land and Water Adjudicatory Commission have negotiated a settlement which modifies the approval of the Development Order and this is being presented in the form of a resolution for the Board's consideration. This settlement has been reviewed and approved by the Division of State Planning, Sarasota County, Tampa Bay Regional Planning Council, Central Florida Regional Planning Council and Phillips Petroleum Company. The parties have represented that if the resolution is adopted by both DeSoto and Manatee Counties, they will move for dismissal of those appeals now pending.

The terms and conditions of the settlement were discussed. The main issue being, in Mr. Varn's opinion, the reclamation of the wetlands. In addition, Phillips Petroleum will leave unmined and has agreed to preserve 1200 acres of wetlands which were deemed to be unique and could not be restored.

The Chairman referred to Paragraph 10 of the resolution which states that Manatee County shall receive one-half of the tax benefits whereas in the original Resolution two-thirds of the tax benefits were to go to Manatee County. It was suggested this matter and the location of the plant between DeSoto and Manatee Counties be discussed with the Property Appraiser.

It was pointed out that AMAX Chemical Corporation has entered into an option agreement with Phillips for acquisition of the property to be mined and that Farmlands and FFM are no longer involved in the operation.

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(Cont'd)

Mr. Varn added that Tampa Bay Regional Planning Council has asked that one further stipulation be incorporated into the Resolution regarding the preservation or excavation of significant archeological and historical sites and that Phillips has agreed to this.

Richard Smith, Attorney for Sarasota County, stated for the record that they had no objection to the amending language proposed by the Tampa Bay Regional Planning Council and that Mr. Varn's representation on the dismissal of the appeal upon adoption of the resolution is correct.

Action on the adoption of the Resolution was deferred and a work session scheduled for July 7, 1978, at 9:00 a.m.

DOUBLE TAXATION/SARASOTA COUNTY

Mr. Fay announced that the Board of County Commissioners of Sarasota County has authorized their Attorneys to participate with Manatee County in the litigation involving double taxation.

RECESS/RECONVENE

The Chairman called a brief recess after which the meeting was reconvened with all Members present except Commissioners Dan P. McClure and L. H. Fortson, Jr.

PHILLIPS PETROLEUM (SE-842/DRI-7)

Regarding the Phillips Petroleum Special Exception, the Chairman requested the County Attorney look into the matter of the change in ownership, and whether a new Special Exception resolution would have to be considered. (Interests of FFM to AMAX)

EMS - PROTOCOL AND STANDING ORDERS FOR PARAMEDICS

Ken McKendree, Emergency Medical Service Director and Dr. Pennington, Medical Director, Emergency Medical Service Advisory Committee, appeared before the Board to request approval of the Protocol and Standing Orders for Paramedics as recommended by the Advisory Committee. Dr. Pennington explained that these rules and regulations set forth the guidelines under which the paramedics operate. These guidelines have been endorsed by the Manatee County Medical Society.

Motion was made by Mr. Fowinkle, seconded by Mr. Parrish, to approve the Protocol and Standing Orders for Paramedics as outlined by Dr. Pennington. Motion carried unanimously.

RECORDED

S4-174

Motion was made by Mr. Parrish to approve the request of Mr. McKendree to authorize the Purchasing Director to order 150 bound copies of the Protocol and Standing Orders for Paramedics at an estimated cost of \$60. Motion was seconded by Mr. Fowinkle and carried unanimously.

PARKS & RECREATION/GOLF COURSE-SIGN MARKERS

Mr. Marble, Director, Parks and Recreation Department, exhibited a sample sign proposed for erection at each of the tees of the Manatee County Golf Course. He discussed the proposal of the Island Bank to have the signs made at no cost to the County, at the end of three years the signs will be redone and become the property of Manatee County at which time the County can resell the advertising space.

Motion was made by Mr. Fowinkle to approve the sign and authorize the preparation of the agreement with The Island Bank. Motion was seconded by Mr. Parrish and carried unanimously.

PURCHASING

By letter dated June 20, 1978, William Mullon, Purchasing Director, made the following recommendations:

PARKS & RECREATION

A.1 Leasing of Barge

- a. Negotiation of lease agreement with Marine Construction Salvage for barge to dispose of broken pipe and concrete at fishing reefs.

VARIOUS DEPARTMENTS (Bid No. 78-57)A.2 Vehicle Rustproofing

- a. Award to lowest responsible bidder meeting specifications - Ziebart of Clearwater.

HIGHWAY DEPARTMENT (Bid No. 78-43)A.3 Heavy Equipment

- a. Authorization for the Chairman to execute Lease/Purchase agreements with Tampa Tractor Co. on five John Deere Model 310A Tractors/Loaders/Backhoes at \$21,149.19 each (\$919.53 each per month).

(5) CONTRACTS RECORDED S4-175

The County Attorney reviewed the documents and recommended that Form UCC-1, Financing Statement, attached to each of the agreements, be rejected for execution and returned unsigned.

PROBATION DEPARTMENT - Mita 900 D Copier

Mr. Mullan submitted a letter from McClure's Copiers agreeing to sell to the Probation Department one Mita 900 D Copier at a cost of \$1,495, including a 36-month warranty. He recommended that previous Board action be amended, and that he be authorized to purchase this machine from McClure's Copiers.

Motion was made by Mr. Parrish that the recommendations of the Purchasing Director be approved and that the Board reject Form UCC-1 Financing Statement. Motion was seconded by Mr. Fowinkle and carried unanimously.

DISPLACED HOMEMAKERS PROGRAM

Mary Fulford Green, Chairperson of the Steering Committee planning the program for Displaced Homemakers, made a presentation on the progress of the Committee and its efforts to establish a meaningful program for women (widows, divorcees, and female heads of households) who are forced to enter the labor market but who have no recognized marketable skills. The requirements of the program were discussed in terms of funding, identifying the type of assistance and training to be furnished, and the need for a facility to house the counseling center.

GUN PERMIT - GRAHAM

In considering the application of William Thomas Graham for a Gun Permit, it was noted by the County Attorney that the fingerprints and Statement of Firearms Proficiency were not in the file.

Upon motion by Mr. Parrish, seconded by Mr. Fowinkle, Resolution was unanimously adopted granting a license to William Thomas Graham to carry a certain pistol for a period of two years, subject to the fingerprints and Firearms Proficiency Statement being obtained and made a part of the file. (\$100 Bond, Service Insurance Company, surety)

RESOLUTION RECORDED S4-176PERSONNEL/CONSOLIDATION SHEETS

Motion was made by Mr. Fowinkle to approve the Consolidation Sheets as submitted by the Personnel Director authorizing transfer and job reclassification and authority to travel. Motion was seconded by Mr. Parrish and carried unanimously.

PERSONNEL DIRECTOR (FLETCHER)

The Chairman read a letter from Westwood H. Fletcher, Jr., Administrative Assistant to the Board of County Commissioners, and Personnel Director, submitting his resignation to be effective July 7, 1978. Action was deferred to the next regular meeting.

WORKMEN'S COMPENSATION CLAIM (SCOVILLE)

Motion was made by Mr. Fowinkle to authorize the Chairman to sign General Release, releasing, for the sum of \$390.15, Kenneth C. Scoville and Patricia A. Scoville, his wife, and State Farm Insurance Company, from any and all claims related to the subrogation interest

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(Cont'd)

of the County relative to Workmen's Compensation benefits paid to Kenneth C. Scoville on account of injuries suffered by him in an automobile accident on March 23, 1977, while driving a County-owned vehicle. Motion was seconded by Mr. Parrish and carried unanimously.

✓RECORDED

S4-177

RELEASE OF IMPROVEMENT LIEN CERTIFICATE (DUPLICATE)

Motion was made by Mr. Parrish to authorize the Chairman to sign Duplicate Release of Improvement Lien Certificate (No. 342898) against certain real property in the City of Holmes Beach, Florida. Motion was seconded by Mr. Fowinkle and carried unanimously.

✓RECORDED

S4-178

MANATEE MEMORIAL HOSPITAL/BOARD OF TRUSTEES

Upon motion by Mr. Fowinkle, seconded by Mr. Parrish, Resolution was unanimously adopted Regarding the Board of Trustees of Manatee Memorial Hospital providing for the appointment of Members of the Board of Trustees of the Manatee Memorial Hospital under the New Manatee Memorial Hospital Act (House Bill 1525) as follows: Joe F. Garrott, Harold W. Whitcomb, James C. Moore, W. E. Wentzel, M.D., and David O Hamrick.

✓RESOLUTION RECORDED

S4-179

WARRANTY DEED/CATALINA ENTERPRISES, INC.

Motion was made by Mr. Fowinkle to accept Warranty Deed from Catalina Enterprises, Inc. (Catalina Subdivision) conveying to the County certain property along the Right-of-Way of 75th Street Northwest and along the Right-of-Way of 9th Avenue Northwest. Motion was seconded by Mr. Parrish and carried unanimously.

WATER & SEWER BONDS (REFUNDING)

- (1) Upon motion by Mr. Fowinkle, seconded by Mr. Parrish, Resolution was unanimously adopted as recommended by the County Attorney Amending "A Resolution Authorizing the Combining and Consolidation of the Separate Water Systems and Sewer Systems of Manatee County, Florida; Authorizing the Issuance of Not Exceeding \$104,600,000 Water and Sewer Revenue Refunding and Improvement Bonds, Series 1978, of Manatee County, Florida, to Finance Part of the Cost of the Construction of Additions, Extensions and Improvements to the Water and Sewer System, and the Refunding of Certain Outstanding Obligations; and Providing for the Terms of Said Water and Sewer Revenue Refunding and Improvement Bonds, Series 1978, and the Rights, Security and Remedies of the Holders Thereof."

✓RESOLUTION RECORDED

S4-180

- (2) Upon motion by Mr. Parrish, seconded by Mr. Fowinkle, Resolution was unanimously adopted Amending "A Resolution of the Board of County Commissioners of* Principal Amount of Special Obligation Bonds, Series 1978, of Manatee County, Florida, for the Purpose of Refunding Certain Outstanding Obligations; Providing for the Security and Payment of the Special Obligation Bonds, Series 1978, and the Outstanding Obligations being Refunded Thereby; Providing for the Rights and Remedies of the Bondholders and Prescribing Other Matters Pertaining Thereto."

✓RESOLUTION RECORDED

S4-181

- (3) Upon motion by Mr. Fowinkle, seconded by Mr. Parrish, Resolution was unanimously adopted as recommended by the County Attorney Amending a Resolution Determining Certain Details of \$73,265,000 Water and Sewer Revenue Refunding and Improvement Bonds, Series 1978, of Manatee County, Florida.

✓RESOLUTION RECORDED

S4-182

*Insert for correction: (omission)
Manatee County, Florida, Authorizing the Issuance and Sale
of \$85,000,000

- (4) Upon motion by Mr. Fowinkle, seconded by Mr. Parrish, Resolution was unanimously adopted Amending A Resolution Authorizing the Issuance of \$18,000,000 Water and Sewer Revenue Improvement Bond Anticipation Notes of 1978 in Anticipation of the Issuance of not less than \$18,000,000 Manatee County, Florida, Water and Sewer Revenue Refunding and Improvement Bonds, Series 1978* For the Purpose of Retiring Certain Outstanding Temporary Obligations and to Temporarily Finance the Construction of Certain Additions, Extensions, and Improvements to the Water and Sewer System of Manatee County, Florida.

RESOLUTION RECORDED S4-183

- (5) Upon motion by Mr. Fowinkle, seconded by Mr. Parrish, Resolution was unanimously adopted Authorizing the Execution and Delivery of an Escrow Deposit Agreement, Securities Purchase Agreement, Sinking Fund Trust Agreement, Paying Agency Agreements and Official Statements in Connection with the Issuance of \$73,265,000 Water and Sewer Revenue Refunding and Improvement Bonds, Series 1978, \$64,710,000 Special Obligation Bonds, Series 1978A; \$20,290,000 Special Obligation Bonds, Series 1978B; \$18,000,000 Water and Sewer Revenue Improvement Bond Anticipation Notes of 1978; and Authorizing Proper Officers to do all other Things Deemed Necessary or Advisable.

RESOLUTION RECORDED S5-1

- (6) Upon motion by Mr. Fowinkle, seconded by Mr. Parrish, Resolution was unanimously adopted Authorizing the Execution of Supplemental Trust Agreements Between the County and Southeast National Bank of Bradenton, As Trustee.

RESOLUTION RECORDED S5-2

PLANNING AND DEVELOPMENT/BUDGET AMENDMENT

Upon motion by Mr. Fowinkle, seconded by Mr. Parrish, Resolution was unanimously adopted authorizing amendment of the 1977-1978 budget by item to item transfer as follows:

Planning and Development

From: Salaries	\$1,000
To: Subscriptions & Memberships	\$1,000

RESOLUTION RECORDED S5-3

BILLS FOR PAYMENT

Motion was made by Mr. Fowinkle to approve bills for payment as follows:

Anderson Surgical Supply (Equipment for Health Dept.)	\$354.00
Employers Insurance of Wausau (Premiums for three Gradalls)	242.00

Motion was seconded by Mr. Parrish and carried unanimously.

The Clerk's office was asked to prepare the appropriate Resolution transferring from Contingency funds in the amount of \$354 for payment of the bill to Anderson Surgical Supply.

COUNTY ADMINISTRATOR (COLLIER)

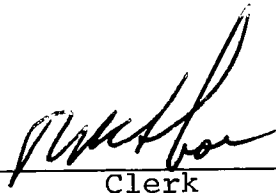
The Chairman called a Special Board Meeting for Monday, June 26, 1978, at 9:00 a.m. to consider the employment of David Collier to fill the position of County Administrator. At the request of Mr. Collier to have an opportunity to discuss the employment agreement, a work session was scheduled to immediately follow today's Board Meeting.

MEETING ADJOURNED

There being no further business the meeting was declared adjourned.

ATTEST

APPROVED


Clerk


Chairman

*Insert for correction: (omission)
Authorized by A Resolution Adopted April 11, 1978