

AUGUST 1, 1978

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, August 1, 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
 R.W. Fowinkle, III

Also present were

E.N. Fay Jr, County Attorney
 D.B. Collier, County Administrator
 L.Frappier and R. Umana, Deputy Clerks, representing R.B. Shore Clerk

Representing the various news media were Betty Kohlman, St Petersburg Times; Don Moore, the Islander; Mark Todd, Sarasota Herald Tribune; and/or other agents entering during the meeting. The meeting was called to order by the Chairman.

Invocation by A.O. Hendry, Bethany Baptist Church

GRANTS DEVELOPMENT DEPARTMENT

Bob Fernandez submitted requests for approval, outlined in letter from Regis Chapman, Director, Grants Development Department, dated August 1, 1978.

- (1) Change to CETA Title II Public Service Employment Program Occupational Summary: Planning and Development:
 Delete 1 Planner I, Position No. 8/12-79, @ \$4.89 per hour
 Add 1 Asst. Planner, Position No. 8/12-79, @ \$4.22 per hour
- (2) Modification No. 801 to CETA Title III, Part C, Subpart 3, Youth Employment and Training Program (YETP), Annual Plan No. 12-8-0165-48 to incorporate carry-over funds in the amount of \$14,655 and revise fiscal year 1978 Budget Information and Program Planning Summaries to estimate funds to be carried into fiscal year 1979
- (3) Modification No. 802 to CETA Title III, Part C, Subpart 2, Youth Community Conservation and Improvement Project (YCCIP) Annual Plan No. 12-8-0165-38 to include a revised Budget Information Summary and estimate funds to be carried into fiscal year 1979.
- (4) Closeout Package for CETA Title III, Youth Employment and Training Program Planning Grant, Annual Plan No. 12-8-P165-48 10/1/77-12/31/77 in the amount of \$14,655. There were no expenditures against this grant number and these funds are being incorporated into current YETP grant.
- (5) Authorization for Chairman to execute resolution authorizing submission of application for LEAA Grant proposal in the amount of \$40,498 for Youth Services Coordination Project.
- (6) Authorization for Chairman to execute LEAA Youth Services Coordination Project Grant proposal to establish a centralized program planning, assessment and evaluation capacity for systematically addressing youth needs. Budget will include \$14,000 Federal funds; \$3,000 State funds; and \$23,489 local funds, for total of \$40,498.

Pat Carrington was present to answer any questions pertaining to the requests for the LEAA Grant proposal; and following discussion of the continual funding of this particular program, it was concensus of the Board that items No. 5 and 6 should be deferred, pending further review of the budget.

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Motion was made by Mr McClure to approve Items 1 through 4 outlined in Mr Chapman's letter, and defer Items 5 and 6 (not longer than two weeks). Motion was seconded by Mr Parrish and carried unanimously.

PERSONNEL: CONSOLIDATION SHEETS

Upon motion by Mr McClure, seconded by Mr Parrish, Personnel Consolidation Sheets (New Hires, Salary Changes, Terminations and Miscellaneous/Travel Authority) were unanimously approved as submitted.

INSURANCE - RETIRED COUNTY EMPLOYEES

Following discussion on ways and means, if any, by which employees retiring under Florida Retirement Plan may retain County health insurance coverage, the matter was referred to the County Administrator for investigation and recommendation back to the Board.

PERSONNEL MANNING LEVELS AMENDED

Motion was made by Mr Parrish to adopt Resolution amending authorized manning levels in

<u>MANATEE COUNTY UTILITIES SYSTEM</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>
Mechanic I (W)	From 2 TO 1	From 194 To 193

and to defer amending manning levels in the Library System and Veterans Service Office, pending review and recommendations by Mr Fowinkle and Mr Collier. Motion was seconded by Mr McClure and carried unanimously.

RESOLUTION RECORDED

PURCHASING DEPARTMENT

William Mullon, Purchasing Director, submitted for approval, recommendations outlined in his letter dated July 28, 1978.

HIGHWAY DEPARTMENT

A.1 Bridge Timbers (Bid No. 78-72)

- a. Award to lowest responsible bidder - Orange State Lumber Co.

Motion was made by Mr Fortson to award the bid to Orange State Lumber Co. as recommended by the Purchasing Director. Motion was seconded by Mr Parrish and carried unanimously.

BUDGET AMENDMENTS

Upon motion by Mr Fowinkle, seconded by Mr Fortson, Resolutions were unanimously adopted amending 1977-78 budget to authorize increases in Revenues and Expenditures as follows:

PURCHASING DEPARTMENT

- (1) Increase Revenue
Charge for Services;
Transfer for General Fund

Increase Expenditure:

Regular Employees; FICA Taxes; Retirement Contributions; Oper. Supplies; Advertising; Transportation; Purchase for Resale; Auto Expenses

\$86,644.00

and by Item to Item transfers as follows:

PURCHASING DEPARTMENT

- (2) From: Office Supplies; Advertising;
Rents & Leases

To: Regular Employees; FICA Taxes;
Retirement Contributions; Education;
Books, Publications, Lib. Materials;
Telephone; Printing; Office Equip.
& Central Stores

\$14,324.00

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CENTRAL STORES

(3) From: Dues & Subscriptions; Office Equip.
and Supplies; Transportation

To: Books, Publications, Lib. Materials;
Reg. Employees; FICA Taxes; Retire.
Contributions; Operating Supplies
Equipment Maint.; Rents & Leases;
Auto Expenses; Miscellaneous \$ 3,490.00

PERSONNEL CONSOLIDATION SHEETS/AMENDED

The County Attorney requested that the Personnel Consolidation Sheets of August 1, 1978 (third item on the page entitled "New Hires") be amended to delete all reference to Dr John Ambrusko's contract (Ref. professional consultant services). He explained that the Attorney for Dr Ambrusko had advised that the contract was not ready to be signed August 1st.

Motion was made by Mr McClure to strike that portion of the Consolidation Sheets pertaining to Dr Ambrusko's contract. Motion was seconded by Mr Fowinkle and carried unanimously.

WORK RELEASE PROGRAM - ROOM/BOARD RATES

Motion was made by Mr Fowinkle that, effective August 1, 1978, the daily room and board payments made by residents of the Manatee County Work Release facility be increased from \$5.34 to \$6.00 per man per day, as requested by Edward J. Angersoll, Administrator. Motion was seconded by Mr McClure and carried unanimously.

DREDGING PERMIT (BURNS)

Ed Dougherty, Director, Highway and Engineering, submitted and recommended approval of application by Leroy Burns for a dredge and fill permit to construct a seawall on the northern shore of the northwesternmost canal in Flamigo Cay, subject to receipt of State and Federal permits.

When it was brought out during discussion that the application is in connection with the High Seas Restaurant, the County Attorney advised that the zoning of this property is the subject of litigation at this time.

Mr Fortson, in whose district the property is located, stated that he was not prepared to act on the request without further research and review.

The Chairman declared the matter deferred until such time as Mr Fortson is ready to make his recommendation to the Board.

TERRA SIESTA MOBILEHOME PARK - MOBILEHOME PARKS MORATORIUM

Thomas M. Gallen, Attorney, and Joe Emerson, Manager, representing owners of Terra Siesta Mobilehome Park, requested exception be granted from the Moratorium on Mobilehome Parks Rezoning, to allow application for rezoning approximately 41.4 acres which is proposed to be used primarily for the purpose of expanding a retention (sewer) pond within Terra Siesta Mobilehome Park in order to comply with requirements of the Health and Pollution Control Departments.

Upon question, Mr Gallen stated that any of the property that was not utilized for expansion of the retention pond would be used for expansion of the mobilehome park.

In response to question by Mr Fortson, the Planning Director stated that the retention pond is allowable under special

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exception in both Agriculture and T-1 zoning; and that, under the Mobilehome Moratorium, no applications are being accepted or processed for zoning changes to T-1 or T-2 until the Comprehensive Plan is adopted (approximately July 1, 1979).

Mr Parrish requested the matter be deferred one week. There were no objections.

RECESS/RECONVENE

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

ZONING

Recommendations of the Planning Commission were submitted by Charles Carrington, Planning Director, and Bill Swan, Planner.

R-912 E. MICHAEL & JOANN M. TOTH - PR - APPROVED

Request: Change present zoning from R-2 to PR.

Planning Commission recommended APPROVAL.

Deferred 7/25/78 at request of Mr Fortson.

Mr Fortson recommended and moved for approval of R-912 as recommended by the Planning Commission, and adoption of appropriate resolution. Motion was seconded by Mr Fowinkle and carried unanimously.

RESOLUTION RECORDED

R-913 LULA MAE WALDREF - M-1 - APPROVED

Request: Change present zoning to M-2.

Planning Commission recommended APPROVAL of M-1.

Deferred 7/25/78 at request of Mr McClure

to permit the Planning Department to prepare

a map of the area showing vacant industrial property

The Planning Director made a presentation using an area map reflecting vacant property zoned M-1 and M-2 in the vicinity of subject property (33rd St. E. and 69th Ave. E.)

Mr Driggers, in whose district the property is located, recommended approval of R-913 for M-1 District.

Motion was made by Mr Fowinkle to approve R-913 to M-1 as recommended, and to adopt appropriate resolution. Motion was seconded by Mr Parrish and carried unanimously.

RESOLUTION RECORDED

SE-875 JERRY & ELIZABETH CAMP - EXT. - DENIED

Request: Special Exception to permit Amendment of SE-875 to extend expiration date from 1980 to 1998 for Day Care Center.

Planning Commission recommended DENIAL. (In that the area could substantially change in 18 years, making the Child Care Center incompatible with surrounding area)

SE-987 JERRY & ELIZABETH CAMP - EXT. - DENIED

Request: Special exception to permit Amendment of SE-987 to extend expiration date from 1980 to 1998 for Day Care Center.

Planning Commission recommended DENIAL.

The Planning Director stated that the two petitions involve two contiguous properties owned by the Camps, and recommended that SE-875 and SE-987 be considered simultaneously.

Jerry Camp and Ken Cleary, his attorney, were present to answer any questions and Mr Cleary submitted a petition signed

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by patrons of the day care center indicating their support. He stated that the Camps have an \$84,000 investment in the Day Care Center and in order to obtain long term financing, lending institutions must have assurance of a more than four-year life expectancy of the business.

Mr Carrington stated that the existing Special Exception was granted with provision that it may be extended until 1984 at the administrative discretion of the Planning Director.

Mr McClure advised the petitioner that if the Day Care Center continues to do a good job, with no complaints from the neighbors, and continues to be compatible with the neighborhood, it would be reasonable to expect favorable consideration of their petition for extension when it comes before the Board upon expiration of the existing special exceptions in 1984.

Don Benjamin, President of Cape Vista Homeowners Association, expressed opposition.

Mr McClure moved that SE-895 be denied as recommended by the Planning Commission. Motion was seconded by Mr Fortson and carried unanimously.

Motion was made by Mr McClure to deny SE-987. Motion was seconded by Mr Fowinkle and carried unanimously.

SE-1131 FLORIDA POWER & LIGHT CO. SUB. STA. - APPROVED
(A.G. Putnam, Manager-Agent) Request: Special Exception to permit construction and operation of an Electrical Distribution Substation on 2.36 acres 1300' south of SR 64 and ½ mile east of 43rd St. E., with time waiver until December 31, 1986. Planning Commission recommended APPROVAL.

The Planning Director pointed out that at this time, the site does not have a county approved means of access; however, it would be possible to approve this application with the stipulation that an approved means of access be obtained prior to construction.

Chet Rickert and Steve Byers, representing Florida Power & Light Co., stated that the necessary legal documents for the access easement will be provided at a later date.

Motion was made by Mr McClure to approve SE-1131. Motion was seconded by Mr Parrish and carried unanimously.

SE-1132 CHURCH OF THE GOOD SHEPHERD, CHURCH OF THE BRETHREN, INC. - DEFERRED
(Thomas M. Gallen, Agent) Request: Special Exception to permit Church and Church related activities on 4.76 acres in 6300 block of 13th St. Court East. Planning Commission recommended APPROVAL.

The Planning Director stated that the Highway Department will require a 10' drainage easement on the west property line and a 25' right of way on the east property line; that 13th Street Court East, a county-maintained shell road, is not capable of sustaining heavy traffic.

Don Haddock, attorney for petitioner, was present to answer any questions, and stated that access and parking is sufficient to the needs of the church and its activities.

Mr Fowinkle stated that he would like to view the site before taking any action and requested the matter be deferred one week. There were no objections.

SE-1133 JACOB WENGERD - C-2 (RESTAURANT) - APPROVED
 (Glen E. Pemelman, Agent) Request: Special Exception
 to permit C-2 uses (Restaurant) in M-2 district on
 1.59 acres at 1609 63rd Avenue East
 Planning Commission recommended APPROVAL.

The Planning Director stated there was no opposition to this petition, however, the Highway Department stated the area is subject to occasional flooding.

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

Motion was made by Mr McClure to approve SE-1133. Motion was seconded by Mr Fowinkle and carried unanimously.

78-S-9(F) DESOTO LAKES COUNTRY CLUB COLONY, UNIT I
SECTION E - SUBDIVISION - APPROVED
 Request: Final plat approval of multi-family residential subdivision on 3.2 acres lying south of DeSoto Lakes Country Club Colony, Unit V.
 Planning Commission recommended APPROVAL, with waiver of sidewalk and recreation requirements.

The County Attorney stated that he has reviewed and approved the Plat.

Motion was made by Mr McClure to approve the final plat as recommended. Motion was seconded by Mr Fortson and carried unanimously.

HOUSEMOVING PERMIT (EUBANK)

Motion was made by Mr Parrish to approve application for

Jack Eubank to move a building
 from 517 9th Street, W., Palmetto
 to 3604 4th Avenue E., Palmetto

subject to posting a \$1500 bond. Motion was seconded by Mr McClure and carried unanimously.

DRAINAGE DITCH - BRADENTON, CITY OF

Mr Fortson referred to the request by the City of Bradenton that the County furnish \$250,000 to extend a drainage ditch along the southern city/county boundary (26th Avenue) and recommended and moved that the request be denied. Motion was seconded by Mr Parrish. Voting "Aye" were Commissioners Fortson, Parrish, Fowinkle and McClure. Chairman Driggers voted "No". Motion carried.

Mr McClure suggested the County and the City pursue the availability of federal funds for continuation of this project as well as other drainage projects; and that the Grants Department be made aware of same.

RESORT TAX - PROPOSED BUDGET

Chairman Driggers submitted proposed budget from Resort Tax Advisory Committee, reflecting estimated Revenue and Expenditures (of the two percent Resort Tax) for the first two years.

Estimated Revenue for First Year \$500,000.00

Expenditures:

70% Civic Center \$350,000.00
 20% Chamber of Commerce 100,000.00
 10% Beach Erosion 50,000.00

Estimated Revenue for Second Year \$600,000.00

Expenditures:

22% Beach Erosion \$132,000.00
 60% Civic Center 360,000.00
 18% Chamber of Commerce 108,000.00

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Following a brief discussion, the proposal was referred to the County Attorney for research and recommendations back to the Board.

UNITED GIVERS FUND (UNITED FUND)

The County Administrator referred to proposal that The United Fund administer certain County grant programs, and advised that he will prepare a report on the administrative effects of the proposal and submit it to the Board for consideration.

COLLIER, DAVID B. - EMPLOYMENT AGREEMENT

Upon motion by Mr Fortson, seconded by Mr Fowinkle the County Attorney was unanimously authorized to draft the necessary documents in connection with the Deferred-Compensation portion of the Employment Agreement with David B. Collier, County Administrator.

DRAINAGE EASEMENT - LAKESIDE SHOPPING CENTER

Mr Fay referred to an Agreement in 1974 with Bayshore Builders Corp. in connection with an underground drainage system in the Lakeside Shopping Center and advised that the County Engineer and the Engineer of Record were now recommending relocation of the easement; that he needed authorization to work with the Highway Department and the firm's attorney (Walter Woodward) to develop legal description and preparation of the appropriate document. There were no objections.

PROJECT 439: SPECIAL ASSESSMENT LIENS

Upon motion by Mr McClure, seconded by Mr Fowinkle, partial release of special improvement assessment liens were authorized as follows:

Project 439, Items 1001 and 1005

GARBAGE FRANCHISE - RATES

Scheduling a date for public hearing to consider rates increase requested by Garbage Franchise holders was deferred to the following Thursday.

BILLS FOR PAYMENT

Upon motion by Mr Parrish, seconded by Mr McClure, following bills were unanimously authorized for payment.

Richard V. Meany	\$12.00
Refunds: Dennis Christie (Plumb. Permits)	\$23.50; \$23.50

CORRESPONDENCE:

Correspondence was read from:

1. Smoak, Davis & Nixon: Confirming arrangements to perform audit for the Manatee County Utilities System.

MANATEE COUNTY UTILITIES SYSTEM - AUDIT

Motion was made by Mr McClure that Smoak, Davis & Nixon be retained as Auditors for Manatee County Utilities System. Motion was seconded by Mr Fowinkle and carried unanimously.

RECORDED

S5-52

2. Board of Trustees, Manatee Memorial Hospital: Requesting the Board approve the firm of Haskins and Sells to perform annual fiscal audit of Manatee Memorial Hospital.

MANATEE MEMORIAL HOSPITAL - AUDIT

Motion was made by Mr McClure to retain Accounting Firm of Haskins and Sells to perform fiscal audit of Manatee Memorial Hospital. Motion was seconded by Mr Fowinkle and carried unanimously.

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3. C.H. Andress, Director, Civil Defense: Recommending Mrs Agnes Dole act as his agent to sign audit slips, purchase orders, requisitions and time cards in his absence - Referred to the County Administrator for appropriate action.
4. Mann and Fay (with letter from Regis Chapman, Grants Director, dated 7/24/78), recommending that action by the City of Anna Maria in connection with Grievance Case of William Lozo, former CETA employee, be upheld (Anna Maria should be allowed to continue with a patrolman's position, No. 8/1-2).

ANNA MARIA, CITY OF - WILLIAM LOZO

The County Attorney recommended that the Board approve the recommendations of the Grants Director so that the letter can become part of the grievance record.

Motion was made by Mr Mr McClure that the recommendations be approved and entered into the record. Motion was seconded by Mr Parrish and carried unanimously.

MEETING ADJOURNED

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

Attest:

APPROVED:


Clerk


Chairman