

AUGUST 31, 1978

PUBLIC HEARING

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION in the Courthouse, Bradenton, Thursday, August 31, 1978 at 7:30 P.M.

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

Commissioners McClure and Fowinkle entered during the meeting.

Also present were:
E.N. Fay, Jr, County Attorney, and Alan Prather, Associate
L. Frappier and R. Umana, Deputy Clerks, representing R.B.
Shore, Clerk

Representing the news media: Mark Todd, Sarasota Herald Tribune.

GARBAGE FRANCHISE - RATE REVISION

The meeting was called to order by the Chairman who stated the purpose of the meeting was for considering

any and all presentations regarding the proposed rate revisions concerning franchises for the collection and disposal of solid waste under section 12 of the Franchise Agreement of C.T. Adams Refuse Service covering County Sanitation District No. 6 and 10B; and additionally under Section 12 of the Franchise Agreement, of A.L. Wyatt Refuse Disposal covering County Sanitation District No. 11.

In accordance with legally advertised Notice of Public Hearing published in The Bradenton Herald, August 9, 1978.

Thomas G. Gallen, Attorney, representing C.T. Adams, outlined the proposed rate increases:

One can	-\$3.60 per month (from \$2.95)
Two cans	-\$4.55 per month (from \$3.65)
Trailer Parks	-\$3.50 per month (from \$2.75)
Commercial: Bulk	-\$2.25 per cubic yard (from \$2.00)
Commercial: Compacted	-\$3.50 per cubic yard (from \$3.00)

William Grimes, Attorney, representing A.L. Wyatt, stated that rates increase requested by his client are the same as those just outlined by Mr Gallen. He pointed out that there has been no increase in garbage rates since 1973; that in 1975 at the time of Franchise renewal, there was a small reduction due to anticipated enactment of mandatory collection which never came to pass.

Bud Parent, Accountant of Valdes, McLain, Pratt & Co., submitted and outlined an analysis of findings based on his examination of the firm's books, and stated the information is based on actual 1977 figures reported to the U.S. Internal Revenue Services. In his presentation, he outlined the effect of sales volume on proposed rate increase; computation of net income and rate of return on investment; computation and comparison of income, with and without expenditure for new truck; inflation and cost of living of years 1973 to 1978; income for prior years, using 1974 rates and statement of income for year ended December 31, 1977; and schedule of existing rates of collection for local area.

Mr and Mrs Wyatt were present to answer any questions.
(Enter Mr McClure)

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Mr Gallen stated that Bud Parent, made an analysis of the C.T. Adams Refuse Service, and found basically the same problems as the Wyatts', plus the fact that Mr Adams is faced with the necessity of purchasing two new trucks (at \$55,000 each) and has no reserve for cost of replacement.

In his analysis of the C.T. Adams books, using the same format as he used for the Wyatt operation, Mr Parent said Mr Adams records showed an approximate 2½ percent return on his investments in 1977. Mr Gallen said that the 1978 figures will reflect a loss.

Mr Adams stated he has been in business twenty-three years and is making less money than ever before.

Mr Gallen referred to the "Berger Report", (an audit of the two franchise holders' operations requested by the County for its information and use) and Chairman Driggers stated this report was received and discussed in a work session.

Anthony Bauer, Vice-President, Southeast National Bank, stated he "firmly supports the proposed rate increase."
(Enter Mr Fowinkle)

Harry Bell, Gary Gregory and Ray Bovier appeared together as a group.

Harry Bell stated he was not opposed to a rate increase, if it is justified.

Gary Gregory requested definition of "occupied trailer space", and stated he has no objection to paying for garbage that is picked up, but objects to paying for garbage not picked up.

Chairman Driggers asked for clarification by the attorneys of "occupied space". Mr Wyatt stated that he charges for collection if someone is living in the trailer.

Mr Gallen stated Mr Adams charges for collection if a trailer occupies the space; that there is no difference in their interpretation of the franchise, just a difference in the method of collection.

Linda Bauer asked whether the franchise read "occupied trailer" or "occupied trailer space".

Harry Bell questioned whether audit had been made on books of Adams and Wyatt, and if Beckett and Berger were unable to perform an audit because of inadequate bookkeeping .

Commissioner Fowinkle read a portion of a letter from Beckett & Berger, then explained that an unaudited summary was prepared by that firm, based on cash receipts and disbursements submitted by both Mr Adams and Mr Wyatt; that time being of the essence, this report was used in lieu of a certified audit. Upon question, Mr Parent stated the information is based on existing records and an adequate determination may be made from these files; that these are figures reported to and accepted by the Internal Revenue Service.

Gene Gallo questioned the necessity to have a franchise holder pick up garbage in trailer parks and why he cannot collect and dispose of his own garbage. (in his park)

Gilbert Wismera, owner and operator of Active Disposal Service, asked to go on record as feeling that free enterprise is not being exercised in the garbage collection business, in that the franchise holders have "captive clientele" and business establishments have no choice of who picks up their garbage. He said he felt the increase is justified, but some stipulation should be made whereby any commercial trailer park, or other business, would have a freedom of choice.

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Chairman Driggers stated that the information from this public hearing will be placed on the Agenda for the regular Board meeting, Tuesday, September 5th, at which time the Board will make a decision.

There was no one else present who wished to speak, and the Chairman declared the public hearing closed.

MEETING ADJOURNED

There being no further business, the meeting was declared adjourned at 8:50 P.M.

Attest:

APPROVED:



Clerk



Chairman