

JANUARY 8, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, January 8, 1980 at 9:04 a.m.

Present were Commissioners:

L. H. Fortson, Jr., Chairman  
Lamar S. Parrish, Vice-Chairman  
Claude E. McGavic  
Patricia M. Glass  
Louis E. Driggers

Also present were:

E. N. Fay, Jr., County Attorney  
David B. Collier, County Administrator  
R. B. Shore, Clerk of Circuit Court, and Pete Ramsden,  
Finance Director

Representing the various news media were Betty Kohlman, St. Petersburg Times; Lauren Ritchie, The Bradenton Herald; Jeanne France, WTRL; Mark Todd, Sarasota Herald-Tribune and others who entered during the meeting.

Invocation by Rev. L. R. Roberson, Church of God, Palmetto.

The meeting was called to order by R. B. Shore, Clerk of Circuit Court, as presiding officer.

BOARD OF COUNTY COMMISSIONERS - ELECTION OF CHAIRMAN (GLASS)

The Clerk declared the floor open for nomination of Chairperson of the Board of County Commissioners for the coming year.

Mr. Driggers nominated Patricia M. Glass for Chairman. Motion was seconded by Mr. Fortson, who moved that the nominations cease. Motion was seconded by Mr. Driggers.

Motion was made by Mr. Fortson that unanimous ballot be cast for Mrs. Glass. Motion was seconded by Mr. Driggers. There being no further nominations, motion carried unanimously. The Clerk declared Mrs. Glass Chairman.

ELECTION OF VICE CHAIRMAN (PARRISH)

Chairman Glass declared the floor open for nomination of Vice-Chairman of the Board of County Commissioners for the coming year.

Mr. Fortson nominated Lamar S. Parrish as Vice-Chairman of the Board of County Commissioners. Motion was seconded by Mr. Driggers. Mr. McGavic moved that nominations cease. Motion was seconded by Mr. Driggers.

Motion was made by Mr. Driggers that unanimous ballot be cast for Mr. Parrish. Motion was seconded by Mr. Fortson and carried unanimously. Chairman Glass declared Mr. Parrish Vice-Chairman.

MANATEE COUNTY PORT AUTHORITY - ELECTION OF CHAIRMAN (DRIGGERS)

Chairman Glass declared the floor open for nomination of Chairman of the Manatee County Port Authority for the coming year.

Mr. Parrish nominated Louis E. Driggers for Chairman. Motion was seconded by Mr. Fortson. Mr. McGavic nominated himself for Chairman. There being no further nominations, Chairman Glass called for a vote. A unanimous ballot was cast and Chairman Glass declared Mr. Driggers Chairman of the Manatee County Port Authority.

ELECTION OF VICE-CHAIRMAN (MCGAVIC)

Mr. Driggers nominated Claude E. McGavic for Vice-Chairman of the Manatee County Port Authority for the coming year. Motion was seconded by Mr. Parrish. Mr. Driggers moved that nominations cease. Motion was seconded by Mr. Fortson. There being no further nominations, motion carried unanimously. Chairman Glass declared Mr. McGavic Vice-Chairman of the Manatee County Port Authority.

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PARTICIPATION PROJECT 5023: 67TH AVE. E. FROM US 301 TO 20TH ST. E

The County Administrator advised that 67th Avenue East from US 301 to 20th Street East (pending project No. 67) meets the requirements as a Participation Project, with 77 percent of the property represented by signatures of the owners.

Motion was made by Mr. Fortson to accept Pending Project No. 67 as Participation Project (No. 5023). Motion was seconded by Mr. McGavic and carried unanimously.

UTILITIES: SUPPLEMENTAL CONSULTING ENGINEERING AUTHORIZATION

R. A. Wilford, Director, Manatee County Utilities System, recommended the Board authorize the Chairman to execute the

SUPPLEMENTAL CONSULTING ENGINEERS AUTHORIZATION  
AND LETTER PROPOSAL WITH ZOLLER AND NAJJAR  
ENGINEERING, INC.

to provide professional services for the construction plans and specifications for a two-story laboratory building located adjacent to the Water Treatment Plant facilities at a total fee of \$4,800.

Motion was made by Mr. Fortson to authorize the Chairman to sign the Supplemental Consulting Engineers Authorization as recommended. Motion was seconded by Mr. Driggers and carried unanimously.

RECORD LETTER PROPOSAL S8-221

QUATTLEBAUM PROPERTY: LAND ACQUISITION

Mr. Wilford recommended the Board authorize negotiations for purchase of the Quattlebaum property, (approximately 24 acres adjacent to Lake Manatee which was recently appraised). He submitted a draft copy of the safe yield analysis of Lake Manatee Reservoir prepared by Bromwell Engineering Company, Inc., substantiating the advisability of obtaining the property for the purpose of

- 1) Increasing the level of the reservoir or allowing the dredging of the reservoir to increase the safe yield capacity by 24 million gallons per day to give a safe yield capacity of 75 million gallons per day
- and 2) Controlling livestock grazing and other agricultural uses which might add a pollutant to the lake and make it difficult to treat.

Motion was made by Mr. McGavic to authorize the County Attorney and appropriate staff to proceed with negotiations to purchase the land. Motion was seconded by Mr. Parrish and carried unanimously.

RACQUET CLUB AND SPA: WAIVER OF PARKING SPACES

Curtis Hamlin, Attorney, representing the Racquet Club and Health Spa (El Tigre Inn, Inc. Racquet Club) between 63rd Street West and 67th Street West, requested a Waiver of Section IV, Paragraph 19.U. of the Zoning Ordinance (waiving 22 parking spaces) to allow 40 total parking spaces. Mr. Hamlin advised that this would provide 2 spaces per racquetball court (eight courts) plus 24 spaces for the Health Spa facilities.

Tom Evans, Operating Manager for the Club, was available to answer questions.

Bruce Siciliano, Planning and Development Department, stated that the Planning Department has no objections to the request, and reported that there will be more than minimum required landscaping.

Motion was made by Mr. Fortson to waive 22 parking spaces as requested. Motion was seconded by Mr. Driggers and carried unanimously.

GUN PERMIT: (YOUNG)

Motion was made by Mr. McGavic to approve application and adopt appropriate resolution granting gun permit for

Gaele Carlyle Young, 126 5th Avenue Drive East, Bradenton,  
(Peerless Insurance Company) - 2 years  
Ruger RDA 32 Security Six .357 Magnum SN 155-26129,  
Adjustable Sights 2-3/4", barrel blued finish.

Motion was seconded by Mr. Parrish and carried unanimously.

RECORD RESOLUTION S8-222

RICKEY LOUIS GROOVER

Motion was made by Mr. Parrish to approve application and adopt appropriate resolution granting gun permit for

Rickey Louis Groover, 4912 6th Avenue Blvd. West, Palmetto,  
(United States Fire Insurance Company) - 2 years  
Colt Lawman Mark III 357 Magnum 4", SN L72826 nickle

Motion was seconded by Mr. Driggers and carried unanimously.

RECORD RESOLUTION S8-223

MICHAEL DASCOLI

Motion was made by Mr. Fortson to approve application and adopt appropriate resolution granting gun permit for

Michael Dascoli, 5711 2nd Avenue Drive NW, Bradenton,  
(United States Fire Insurance Company) - 2 years  
.22 Magnum Cal Model DM-101 Hand Gun High Standard  
SN 2366805.

Motion was seconded by Mr. Parrish and carried unanimously.

RECORD RESOLUTION S8-224

ADVISORY BOARD APPOINTMENTS

Mrs. Bette Dodge, County Administrator's Office, submitted a list of various department advisory boards, listing the members of each committee, the terms of office and expiration date of each member's term.

AFFIRMATIVE ACTION ADVISORY COMMITTEE (AAAC)

Mrs. Dodge submitted memorandum dated January 7, 1980, from Ken Rogers, Department of Employee Relations, recommending the following persons be appointed for a one year term to serve on the Affirmative Action Advisory Committee (AAAC) as follows:

Margo Joynes	- Staff, Displaced Homemakers Program
Ralph Moultrie	- Counselor, Community Mental Health
Robert Fowler	- Ex Officio, Personnel Department Director
Kathy Snell	- Ex Officio, Acting Director, Human Services
Terry Moore	- Ex Officio, Employee Relations Specialist
Valerie Bailey	- Employee, Human Services
Kathy Summers	- Employee, Manatee County Utilities System
John Kelley	- Employee, Highway Department
Bonnie Belford	- Employee, Probation Department
Patricia Glass	- Chairman, Board of County Commissioners (Liaison to the Committee)

Motion was made by Mr. Fortson to appoint the members as recommended in memorandum by Ken Rogers. Motion was seconded by Mr. McGavic and carried unanimously.

Upon request by Mr. McGavic, the County Administrator was instructed to investigate the possibility of staggered terms on appointments for the following year.

PARKS AND RECREATION BOARD

Mrs. Dodge advised that two members were recently appointed to the Parks and Recreation Board (12/3/79) and the remaining two members' terms will expire on July 7, 1980. No action was taken.

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BI-COUNTY COMMISSION ON THE STATUS OF WOMEN

Motion was made by Mr. Fortson to reappoint Lillie Covington to the Bi-County Commission on the Status of Women for a three-year term. Motion was seconded by Mr. Driggers and carried unanimously.

POLLUTION CONTROL BOARD

Upon request by Mrs. Dodge, appointment of a member to the Pollution Control Board was deferred.

LIBRARY BOARD

Upon motion by Mr. Parrish, seconded by Mr. Driggers, Alice Boylston was unanimously reappointed to the Library Board for a four-year term, (as recommended by John Holland, Mayor, City of Palmetto, in letter dated 12/4/79).

Upon motion by Mr. Driggers, seconded by Mr. Parrish, Mrs. Jay Uber was unanimously reappointed to the Library Board for a four-year term, (as recommended by the Mayors of the City of Anna Maria, Town of Longboat Key, City of Bradenton Beach and City of Holmes Beach in letter dated 12/18/79).

BOARD OF ZONING APPEALS

Motion was made by Mr. Fortson to reappoint Thomas Stewart to the Board of Zoning Appeals for a four-year term. Motion was seconded by Mr. Driggers and carried unanimously.

As no recommendation has not been received for filling the remaining vacancy on the Board of Zoning Appeals, there were no objections to deferring action on this appointment until Tuesday, January 15, 1980.

PLANNING COMMISSION

Motion was made by Mr. Driggers to reappoint Robert Hoffman to the Planning Commission for a three-year term (term expires 1/15/80). Motion was seconded by Mr. Fortson and carried unanimously.

BUILDING CONTRACTORS EXAMINING BOARD

Having received no recommendation on filling the remaining vacancy on the Building Contractors Examining Board, the Board deferred making an appointment to this Board until Tuesday, January 15, 1980.

CONSTRUCTION CODE BOARD OF APPEALS

Motion was made by Mr. Driggers to reappoint Joe Fink to the Construction Code Board of Appeals for a four-year term. Motion was seconded by Mr. Parrish and carried unanimously.

There were no objections to deferring action on the remaining two vacancies until Tuesday, January 15, 1980.

PLUMBING CONTRACTORS EXAMINING BOARD

There were no objections to deferring action on the appointment of a member (for an indefinite term) to the Plumbing Contractors Examining Board until Tuesday January 15, 1980.

Upon request by Mr. McGavic that a procedure be prepared for periodic review of those members on advisory boards holding an indefinite term of office, the County Administrator was instructed to submit a list of incumbents on the boards to be reviewed annually by the Board of County Commissioners.

HANDICAPPED ADVISORY COMMITTEE

In conjunction with the Transit Handicapped Accessible Program to be developed by the Sarasota-Manatee Area Transportation System (S.M.A.T.S.) by July 1, 1980, the County Administrator recommended the following persons be appointed to the Handicapped Advisory Committee for the purpose of developing the "Transition Plan" with the Tampa Bay Regional Planning Council (as outlined in memorandums dated December 11 and 19, 1979 from Phil Davis, Director, Transportation Department).

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Dan Pope - Supervisor Counselor, Health and Rehabilitative Services (H.R.S.)  
Bill Simmon - Counselor II, H.R.S.  
A. M. MacDonald - Manager, S.W. Branch Florida Arthritis Foundation  
Mary L. Kruse - Advocate/Arthritis  
Neil Anderson - Director, Council on Aging  
Mrs. W. E. Cummings - President, Board of Directors, Council on Aging  
Byron Weintraub - Director of Rehabilitation, Goodwill Industries  
Neil Lynn - Counselor, Goodwill Industries  
Joseph Schaerel - Director, Rehabilitation Programs, Happiness House

John Chamberlain, Anna Maria, requested additional information regarding the program.

Motion was made by Mr. Driggers that the persons be appointed for the specific purpose to prepare the plan, as outlined in the memorandum; that the Committee submit the plan to the Board for approval before submittal to S.M.A.T.S; and that the Board may appoint additional members to the Committee if desired. Motion was seconded by Mr. Fortson and carried unanimously.

BUS SERVICE: FAIR GROUNDS ROUTE

There were no objections to suggestion by Mr Driggers to defer discussion on the bus schedule for the Fair Grounds route until Thursday, January 10, 1980, in order that the Transportation Director might be present.

COUNTY NON-MAINTAINED ROADS

There were no objections to deferring discussion on the County non-maintained roads policy to allow the County Attorney to continue legal research.

TRANSIT HOLIDAY OPERATIONS

The County Administrator submitted the Holiday bus schedule recommended by Phil Davis, Director of County Transportation Department, as outlined in his memorandum dated January 2, 1980:

	<u>HOLIDAY</u>	<u>DATE</u>	<u>STATUS</u>
1.	Memorial Day	Monday, May 26	No
2.	Independence Day	Friday, July 4	No
3.	Labor Day	Monday, September 1	No
4.	Veterans' Day	Tuesday, November 11	Yes
5.	Thanksgiving Day	Thursday, November 27	No
6.	Friday, Following	Friday, November 28	Yes
7.	4 hrs.-Christmas Eve	Wednesday, December 24	Yes
8.	Christmas Day	Thursday, December 25	No

Motion was made by Mr. McGavic to approve the Holiday bus schedule as recommended. Motion was seconded by Mr. Parrish and carried unanimously.

PERSONNEL: RECREATION ADMINISTRATOR

The County Administrator advised that the job description for Recreation Administrator is being prepared with assistance from the Parks and Recreation Director, the Clerk, and the County Auditor.

LAKE MANATEE: FLOODPLAIN DEVELOPMENT

The County Administrator announced that a meeting will be scheduled in the near future in regard to development within the floodplain below Lake Manatee.

PUBLIC SAFETY COMPLEX

During discussion on the possible financing of the proposed Public Safety Complex, the County Attorney advised that the General Obligation Bond should be considered as first priority (least expensive form of financing); Revenue Bonds as second priority and Lease Purchase as third priority.

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LAWSUIT: WEDEL VS. DEPARTMENT OF ENVIRONMENTAL REGULATION

The County Attorney submitted his letter dated January 4, 1980, and recommended the Board authorize him to represent the County in connection with legal proceeding

James Wedel, Plaintiff, vs. Department of Environmental Regulation and Manatee County Highway Department, Defendants, before the Florida Department of Environmental Regulation (DER)

whereby it is claimed that the condition of the bayou denies the particular property owner access to his property and use of the bayou, diminishing the value of the real property, and that these administrative proceedings were apparently instituted as a condition precedent to a possible lawsuit against the County and/or the DER for damages arising out of this particular situation.

Motion was made by Mr. Fortson to authorize the County Attorney to represent the County in the legal proceeding. Motion was seconded by Mr. Driggers and carried unanimously.

LAWSUIT: STATE OF FLORIDA (37TH STREET EAST)  
In connection with lawsuit

Re: State of Florida vs. Manatee County, Florida  
Case No. 79-1266M in the County Court of Manatee,  
Florida, retention of expert witnesses  
(37th Street East)

the County Attorney recommended the Board authorize the Chairman to sign the proposal of Conservation Consultants, Inc., to serve in the capacity of professional and technical expert advisers to the County and the office of Mann and Fay, and to serve as expert witnesses in this litigation. Fees to be charged in accordance with the following schedule:

	<u>Rate/Hour</u>
Principal Engineer/Scientist	\$45.00
Senior Engineer/Scientist	\$40 - 42
Staff Engineer/Scientist III	\$35 - 39
Staff Engineer/Scientist II	\$30 - 34
Staff Engineer/Scientist I	\$25 - 29
Associate Engineer/Scientist III	\$22 - 25
Associate Engineer/Scientist II	\$18 - 22
Associate Engineer/Scientist I	\$15 - 18
Environmental Technician III	\$17 - 21
Environmental Technician II	\$14 - 18
Environmental Technician I	\$11 - 15
Environmental Aide	\$10 - 12
Systems Analyst	\$30 - 35
Programmer	\$20 - 25
Key Punch Operator	\$12 - 15
Administrative/Accounting	\$15 - 18
Draftsman/Illustrator	\$15 - 18
Clerical/Typist	\$ 8 - 12

Expert Testimony, including depositions, \$50/hr.

Motion was made by Mr. McGavic to authorize the Chairman to sign the proposal as recommended. Motion was seconded by Mr. Driggers and carried unanimously.

RECORD S8-225

AGENDA PROCEDURE

In response to a question regarding the procedure for Agenda meetings, the Chairman announced that the procedure will remain unchanged, and the meetings will be held every Wednesday at 1:30 p.m.

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BONDS

Upon motion by Mr. Driggers, seconded by Mr. McGavic, the following bonds were unanimously approved, accepted or released as follows:

Driveway Permits

ACCEPT: Carroll Clifton, Cash Bond \$125, Permit No. 6784

Moving and Alteration of Buildings

RELEASE: 1) R. Hightower, \$1,500 Surety Bond, HMP No. 22783  
2) John A. Weichel, Jr., \$1,500 Surety Bond, HMP No. 23349

WARRANT LISTS

Motion was made by Mr. McGavic to approve Warrant Lists from January 1 to January 8, 1980, and to authorize Warrant Lists to January 15, 1980, 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. Driggers and carried unanimously.

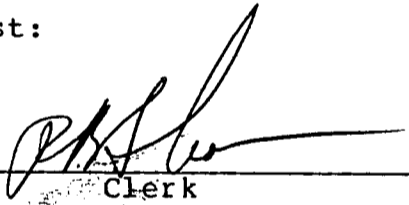
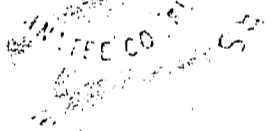
WELFARE: DONATION (POTATOES)

Mr. Parrish submitted a personal request from Anna Gayle (who is involved with concerns of senior citizens) that the Commissioners donate potatoes for a luncheon conference on the economic concerns for the elderly to be held at the Bradenton Municipal Auditorium on January 16, 1980. Mrs. Glass, Mr. Parrish, Mr. Driggers and Al Grossman, a concerned citizen, volunteered to donate 50 lbs of potatoes each.

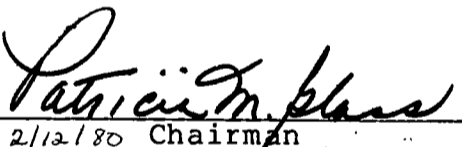
MEETING ADJOURNED

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

Attest:

  
\_\_\_\_\_  
Clerk  


APPROVED:

  
\_\_\_\_\_  
2/12/80 Chairman

Adj: 10:59 a.m.