

JANAURY 22, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, January 22, 1980 at 9:00 a.m.

Present were Commissioners:

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

Also present were:

E. N. Fay, Jr., County Attorney; Alan Prather, Associate
David B. Collier, County Administrator
Peter Ramsden, Finance Director, representing R. B. Shore,
Clerk of Circuit Court

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. Scott Westbrook, West Bradenton Baptist Church.

The meeting was called to order by Chairman Glass.

GARBAGE DISPOSAL

In response to a request for a work session to discuss garbage franchises, relayed by Mr Parrish from C. T. Adams, the County Administrator stated that a work session to discuss items which should be considered prior to the expiration date of the existing garbage franchises, illegal dumping, etc has been tentatively scheduled and will be on the Agenda for Board consideration next Tuesday (1/29/80).

SOUTHWOOD MALL (PROPOSED)

Chairman Glass accepted, on behalf of the Board, a petition signed by residents in the vicinity of 15th Street south of 57th Avenue West indicating their opposition to the proposed construction of Southwood Mall shopping center.

PARKS AND RECREATION BOARD - ACTIVITIES; ELECTION OF OFFICERS

Mr Driggers reported items from a recent meeting of the Parks and Recreation Board:

- a. County Soccer League opened the season with 42 teams participating.
- b. Soft Ball League will open its season February 11th with 91 teams participating.
- c. Election of Officers for 1980: Cope Carter, Chairman; G. T. Bray, Vice-Chairman of the Parks and Recreation Board.

ORDINANCE: PROHIBITION OF THE PARKING OF TRUCKS IN RESIDENTIAL AREAS

After a brief discussion regarding the parking of tractor-trailers in residential areas, there were no objections to recommendation by Chairman Glass that this issue be addressed at an upcoming work session with the Planning Department.

CODE OF REGULATION RE: RELOCATION OF BUILDINGS; CERTIFICATES OF COMPETENCY; PERMITS

Public Hearing was declared open to consider resolutions establishing a code of regulation of the relocation of houses, buildings, and other structure trade; establishing criteria for the issuance of structure-relocation trade related Certificates of Competency; establishing procedures for the issuance of a Structure-Relocation Permit; and establishing a fee schedule for obtaining the Certificate of Competency and Structure-Relocation Permit (published in The Bradenton Herald, January 8, 15, 1980).

Charles Carrington, Planning Director, submitted and recommended approval of four (4) resolutions, in which changes suggested at a recent work session have been incorporated:

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- (1) RESOLUTION ESTABLISHING A CODE FOR REGULATION OF THE RELOCATION OF HOUSES, BUILDINGS AND OTHER STRUCTURES TRADE
- (2) RESOLUTION ESTABLISHING PROCEDURES FOR THE ISSUANCE OF A STRUCTURE-RELOCATION PERMIT
- (3) RESOLUTION ESTABLISHING CRITERIA FOR THE ISSUANCE OF STRUCTURE - RELOCATION TRADE RELATED CERTIFICATES OF COMPETENCY
- (4) RESOLUTION ESTABLISHING A FEE SCHEDULE FOR OBTAINING THE CERTIFICATE OF COMPETENCY AND STRUCTURE-RELOCATION PERMIT.

Mr Prather stated that the primary concern of the housemoving industry was the bond requirement. He explained that the bond is on the mover, not on the building; that the intent of the resolution is to try to control the areas that are of public concern, and does not expressly consider the esthetics of the structure, merely whether it meets the zoning requirements and housing code. He stated, however, that steps are being taken to update the Special Acts of 1963 to better meet today's needs.

Paul Jaworoski, 37th Street East, commented on the need for conformity of buildings with the neighborhood, and asked whether an individual may move his own building if no housemover is available.

At the request of Mr Parrish that action be deferred to afford him an opportunity to discuss the proposed Code with individuals in the trade, the public hearing was continued to Tuesday, January 29, 1980.

AUDIT: INSURANCE - E.W. SIVER & ASSOCIATES

Lee Custer, representing E. W. Siver & Associates, Inc., submitted a Risk Management Audit Report of the County Insurance Program, including the Utilities Department and Group Life and Health Supplement, and was available to answer any questions.

The County Administrator highlighted the report which contains a number of recommendations for organizational and policy changes. He stated that, as a result, he will request that the Board advertise for proposals to obtain services of a consultant to prepare the formal specifications for bidding the County's total insurance package, and will make recommendations for changes in the manning level in the Risk Management function of the Personnel office.

Motion was made by Mr Fortson to accept the Audit Report. Motion was seconded by Mr Driggers and carried unanimously.

AUDIT: MANATEE MEMORIAL HOSPITAL

Harry Baker and Stuart Eiseman of Deloitte, Haskins and Sells, CPA's, submitted "Financial Statements for the Years Ended September 30, 1979 and 1978 and Supplementary Combining Information for the Year Ended September 30, 1979 and Opinion of Independent Certified Public Accounts" rendered on Manatee Memorial Hospital. Mr Baker and Mr Eiseman were available to answer any questions on the audit.

The County Attorney stated that, as a matter of clarification, a representative of the Board of Trustees of the Manatee Memorial Hospital (Harold Whitcomb) submitted and the Board accepted on December 27, 1979, unsigned copies of the same information that is before the Board today. He pointed out that the documents submitted today are the official documents.

At the request of Mr McGavic, Mr Fay outlined the scope of work involved in the contract for the audit. Mr Baker explained the Management Letter accompanying the audit report, and Mr Eiseman made a presentation on the financial aspects contained in the report.

Motion was made by Mr Parrish to accept the Financial Statement for the Year Ending September 30, 1979 and September 30, 1978, the Opinion Letter and the Constructive Service Letter for the Year Ended September 30, 1979, for Manatee Memorial Hospital. Motion was seconded by Mr Driggers and carried unanimously.

MANATEE COUNTY CIVIC CENTER AUTHORITY - AUDIT

Harold Haley and Sue Anderson, representing the Civic Center Authority, reported on the status of the proposed Civic Center since the Phase I Study.

Mr Haley stated, that due to the failure of the Authority to obtain a lease on 30 acres ("the sandpile") from the City of Bradenton, a site north of the River (Manatee) has been selected by the Site Selection Committee; Plantec has been instructed to pursue the second phase of the Study and consider that property as the primary location. In response to questions, he advised that the Authority recommends a facility of no fewer than 5,000 permanent seats.

Ms Anderson stated that an audit has been rendered on the Civic Center Authority by Gary Trapp, copies of which have been distributed to members of the Board, and that a proposed Funding Agreement is to be submitted by the County Administrator for consideration later in this meeting.

Avery Gould, Flamingo Cay East, commented on the costs of the facility and suggested the money be spent on roads instead.

Chairman Glass advised Mr Haley and Ms Anderson that the Board will review the audit and if further discussion is necessary, they will be notified.

RECESS/RECONVENE

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

EASEMENTS ACCEPTED - SODBUSTER FARMS UNIT II

Based on recommendation of Tim Mumford, County Highway Department, motion was made by Mr Parrish, and seconded by Mr McGavic, to accept easements (2) from:

Sodbuster Farms, Unit II

for the purpose of constructing and maintaining a drainage ditch for the use of the general public.

Motion carried unanimously.

PUBLIC SAFETY COMPLEX - BOND ISSUE

The County Administrator submitted an itemized list of possible additions and deletions to the Public Safety Complex which would affect the overall cost of \$9,265,222.

Chairman Glass submitted a letter from Hilda Quy, Energy Committee, Manasota 88, requesting that all energy efficiency features be given due consideration.

Mr Fay reiterated the necessity for expeditious action to determine a figure amount if the bond issue is to be placed on the ballot March 11, 1980.

During discussion Board Members gave favorable consideration to deletion of the following items:

- Impact fee, City of Bradenton
- Additional parking deck
- Computer aided dispatch
- Basement
- Some kitchen equipment
- Electric door locks
- Fourth floor of the Public Safety Building

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There being some difference in opinion as to whether the Basement and/or the Fourth floor should be deleted, final decision on these two items was deferred until later in the meeting.

REVENUE SHARING, ENTITLEMENT PERIOD 11/ANTI RECESSIONARY FUNDS -
30TH STREET EAST; 51ST AVENUE EAST

Based on the summary of citizens comments on proposed uses for General Revenue Sharing Funds, Entitlement Period 11, in the amount of \$39,825; and Anti-Recessionary Funds in the amount of \$7,839, motion was made by Mr Driggers and seconded by Mr Parrish to use the General Revenue Sharing Funds to pave 30th Street East, from 38th Avenue to 53rd Avenue, and 51st Avenue from U.S. 301 to State Road 70.

Voting Aye were Commissioners Driggers, Parrish and Fortson. Chairman Glass and Commissioner McGavic voted No. Motion carried.

Motion was made by Mr Driggers and seconded by Mr Parrish to authorize and instruct the Highway Department to establish priorities, then use the Anti-Recessionary Funds to recap those prioritized roads to the extent of the funds (\$7,839).

Motion carried unanimously.

LAWUIT: MANASOTA MEMORIAL PARK, INC - FINAL JUDGMENT

Upon motion by Mr Fortson, seconded by Mr Driggers, Stipulation for Final Judgment was unanimously approved in the lawsuit

Re: Manatee County, Plaintiff
vs Manasota Memorial Park, Inc., Defendant
Case No. CA-77-1352

stipulating that controversy in this cause has been amicably settled between the parties, and sums are to be awarded as full and just compensation to the defendant, and distributed as follows:

- | | |
|----------------------------------------------------------------------------------------|------------|
| a. To Manasota Memorial Park, Inc, (for property).... | \$1,000.00 |
| b. To Brigham, Reynolds, Byrne & Moore (fee, for representing owner of property) | \$ 500.00 |
| c. To Realty Appraisal & Consulting Services (appraiser's fee) | \$1,000.00 |

RECESS/RECONVENED

The meeting was declared recessed until 1:30 p.m.

The Board reconvened at 1:36 p.m. with all members present except Mr Parrish who entered during the meeting.

BUDGET AMENDMENTS (REVENUE SHARING FUNDS)

Upon motion by Mr Fortson, seconded by Mr Driggers, resolutions were unanimously adopted to amend the 1979-80 Budget to provide for the reallocation of unencumbered balances of 1978-79 appropriations:

Clerk to Board and Courts

From: Fund Balance

To: Carnegie Library

\$12,146.00

RECORD RESOLUTION S8-236

County Administrator

From: Fund Balance

To: GRS Insurance and Bonds

\$ 2,571.00

RECORD RESOLUTION S8-237

GOVERNOR'S HIGHWAY SAFETY COMMISSION - PEDESTRIAN/PEDICYCLIST GRANT

Upon motion by Mr McGavic, seconded by Mr Driggers, the Chairman was unanimously authorized to execute an application to the Governor's Highway Safety Commission for a Comprehensive Pedestrian/Pedicyclist Safety Planning Project Grant in the amount of \$30,000.

Bob Fernandez, Assistant County Administrator, advised that this grant, which is totally funded by the Highway Safety Commission, will be used to make a study of the needs in Manatee County for pedestrian/pedicyclists safety, and will be administered by the Planning Director.

BUILDING CONTRACTORS EXAMINING BOARD - (MILLER)

Based on the recommendation of Chairman Glass, motion was made by Mr Fortson to appoint William A. Miller to the Building Contractors Examining Board. Motion was seconded by Mr Driggers and carried unanimously.

CONSTRUCTION CODE BOARD OF APPEALS - MEMBERSHIP (ZUBER)

Mr McGavic nominated, and moved to appoint, Dan Zuber to the fill the position vacated by Hugh Holmes on the Construction Code Board of Appeals. Motion was seconded by Mr Fortson and carried unanimously.

PLUMBING CONTRACTORS EXAMINING BOARD - MEMBERSHIP

Appointment of a member to replace Martin Williams (deceased) on the Plumbing Contractors Examining Board was deferred.

PUBLIC SAFETY COMPLEX - BOND ISSUE (FIGURES)

Based on deletions agreed upon earlier in the meeting, motion was made by Mr Fortson to delete the fourth floor and the basement (from the Public Safety Complex) to derive the figure of \$9,642,047 as the amount to insert into the resolution (bond).

Upon being advised that Mr Parrish was in the building, Mr Fortson withdrew his motion, pending the presence of Mr Parrish.
(enter Mr Parrish)

Mr Collier clarified the figures as relates to these floors as follows:

| | |
|----------------------------------|--------------|
| Delete basement only | \$10,042,507 |
| Delete basement and fourth floor | 9,642,507 |

and suggested that when bids are requested, include an addendum to cover both floors and see if the bid figures received would allow inclusion of these floors.

The County Attorney advised that the figures to be used in the bond resolution must be rounded out to increments of \$5,000.

Motion was made by Mr Fortson that \$9,645,000 be inserted into the bond resolution. Motion was seconded by Mr McGavic for discussion.

In response to question by Mr McGavic, Mr Collier advised that the above figure includes the 911 system and the antenna tower.

Motion carried unanimously.

Mr Fay stated that the resolution will be submitted for consideration at the meeting on Thursday, January 24, 1980.

HUMAN SERVICES

The County Administrator submitted for approval the recommendations of the Human Services Department outlined in memorandum from Kathy Snell dated January 15, 1980:

- (1) Authorize the Chairman to sign a Service Agreement with Manatee County Rural Health Services, Inc. for the operation of the Parrish School Building for a term of five years.

Motion was made by Mr Parrish to approve the Agreement. Motion was seconded by Mr Driggers and carried unanimously.

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- (2) Authorize the Chairman to sign an Agreement with Manatee County Civic Center Authority in the amount of \$26,215, for the purpose of planning, operating and maintaining Civic Center Authority facilities.

Motion was made by Mr Fortson to execute the funding agreement.
Motion was seconded by Mr Driggers.

Voting Aye were Commissioners Fortson, Driggers, Parrish and Chairman Glass. Commissioner McGavic voted No. Motion carried.

RECORD AGREEMENT S8-239

- (3) Authorize the Chairman to sign a Governor's Highway Safety subgrant application in the amount of \$30,000 to employ a consultant for the purpose of establishing a plan to reduce pedestrian/pedicyclist accidents in the County.

LEGISLATIVE DELEGATION AGENDA

In connection with a public hearing to be held February 7, 1980, it was the concensus of the Board that the following items should be placed on the Legislative Delegation Agenda for discussion and/or as a request for legislative action:

- 1) Funding of Library projects to include the Manatee County Island Branch Library.
- 2) A separate Metropolitan Planning Organization for Manatee County.
- 3) Port Authorities be allowed to operate an air port.
- 4) Road and drainage impact fees.
- 5) Fire Services.
- 6) Construction of an airport within boundaries of Manatee County without dealing with the Sarasota-Manatee Airport Authority.
- 7) Mineral severance tax for phosphate mining.
- 8) State truck licensing fee as a possible source of revenue for County roads.
- 9) Creation of a one-cent sales tax for County Capital Improvements.
- 10) A funding source for bike paths in Manatee County.
- 11) Assistance to counties to purchase open space for future park development.
- 12) Revisions to Wilson-Grizzle Legislation (to be discussed with County Pollution Control and Utilities Department Directors first).
- 13) Revision of Legislation regarding Workmen's Compensation method of payment of claims.
- 14) Florida Department of Transportation accounting procedures which affects turnover of fifth and sixth cent gasoline funds.
- 15) Preventing State Road 675 becoming a County road.
- 16) Emergency road maintenance from State surplus funds.
- 17) Legislation to revise the general law regarding allocation to cities for double taxation.
- 18) Revisions to the Library Board.
- 19) Reorganization of Health and Rehabilitative Services.
- 20) Changes in operation of Pollution Control in Manatee County.
- 21) Funding for a teletype machine on the State Law Enforcement System in the County Probation office.
- 22) Longer terms of probation for misdemeanor charges, especially regarding restitution.
- 23) Delays regarding State agencies computing retirement system paybacks.
- 24) State Retirement System, Social Security and CETA workers employed in Manatee County.
- 25) A role for Metropolitan Planning Organizations in reclassification of roads from State to County.
- 26) Hospital Board of Trustees and Port Authority.

Motion was made by Mr Parrish and seconded by Mr Driggers to authorize the County Administrator to attend and represent the County at the public hearing of the Legislative Delegation on February 7, 1980. Motion carried unanimously.

TRAVEL AUTHORIZATION (DRIGGERS; COLLIER)

Upon motion by Mr Fortson, seconded by Mr McGavic, travel was unanimously authorized for

- (1) L. E. Driggers - Washington, D. C.,
to attend the NACO Legislative conference on Revenue Sharing Renewal March 1-5, 1980.
- (2) David B. Collier - Brooksville, Fla. to attend
Southwest Florida Water Management District meeting
January 23, 1980.

MATERIALS AND SERVICES

The County Administrator submitted for approval recommendations of the Materials and Services Department outlined in memorandum from Gary M. Knuckles, Director, dated January 21, 1980:

UTILITIES

- I. Warehouse Supplies, Bid 80-16
 - a. Award to lowest responsible bidders:
B & H Sales; Riverview Utilities; Banks Supply;
Southeastern Municipal Supply; Davis Meter;
S.O.U.S., Inc; Hughes Supply

Motion was made by Mr Driggers to award the bid to the lowest bidders. Motion was seconded by Mr McGavic and carried unanimously.

CIVIL DEFENSE (ANDRESS)

Motion was made by Mr Parrish and seconded by Mr Fortson to accept with regret the resignation of C. H. Andress, Director, Manatee County Civil Defense, effective May 2, 1980, and forward him a letter of appreciation.

Motion carried unanimously.

DEPARTMENT OF HUMAN SERVICES - DIRECTOR (SNELL)

Upon motion by Mr McGavic, seconded by Mr Parrish, the appointment of Kathy A. Snell to the position of Director, Department of Human Services, was unanimously approved, ratified and confirmed.

W. R. FRIZZELL ARCHITECTS, INC - PUBLIC SAFETY COMPLEX

Pursuant to Paragraph 8.4 of the Modification Agreement for architectural services between the County and W. R. Frizzell Architects, Inc., in connection with the proposed Public Safety Complex, dated November 13, 1979, motion was made by Mr Parrish, and seconded by Mr Driggers, to authorize the Chairman to sign a letter notifying the architects that work under this agreement is suspended as of this date while the County seeks funding for the construction of the proposed structure.

Motion carried unanimously.

COMMUNITY DEVELOPMENT GRANT - WASHINGTON PARK PROJECT (WATER)

During discussion of the County Administrator's weekly agenda, Mr Collier stated that a staff conference had been held to discuss ways to handle payment of the water hook-up fees in connection with the Community Development Grant involving the Washington Park water service.

SUPERVISOR OF ELECTIONS - VOTING PRECINCTS 10, 32, 35

Pursuant to recommendations on January 10, 1980 by the Supervisor of Elections of Manatee County, the County Attorney submitted and recommended adoption of

RESOLUTION DIVIDING ELECTION PRECINCT 10 INTO ELECTION PRECINCTS 10A AND 10B; ESTABLISHING A POLLING PLACE FOR ELECTION PRECINCTS 10A AND 10B; DIVIDING ELECTION PRECINCT 35 INTO ELECTION PRECINCTS 35A AND 35B; ESTABLISHING A POLLING PLACE FOR ELECTION PRECINCTS 35A AND 35B; AND ESTABLISHING A POLLING PLACE FOR PRECINCT 32.

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Motion was made by Mr McGavic to adopt the Resolution. Motion was seconded by Mr Driggers and carried unanimously.

RECORD RESOLUTION S8-240

LANZO CONSTRUCTION CO. - SUPPLEMENTAL FINAL RECONCILIATION AGREEMENT

The County submitted and recommended approval of a Supplemental Final Reconciliation Agreement (in connection with a contract entered into by the County and Lanzo Construction Company, Inc, October 26, 1976, for the construction of gravity sewers and force mains for Sanitary Sewage Project No. 630-661-01, Part F, Section IV) whereby Lanzo Construction Company, Inc agrees to complete a 23-item punch list, attached to and made a part of this supplemental agreement, to the satisfaction of the County, whereupon the County will pay Lanzo the net unpaid balance of the contract.

Motion was made by Mr Fortson to execute the Supplemental Agreement. Motion was seconded by Mr McGavic and carried unanimously.

RECORD AGREEMENT S8-241

LAWSUIT: JOHNSON AND GRILLS

The County Attorney submitted a letter to the Board dated January 18, 1980, requesting authorization to represent the County and take whatever legal steps necessary to protect the interest of the County in litigation

Re: D. F. Johnson and Edwin Grills vs Manatee County, a political subdivision of the State of Florida, Case No. CA 80-104 in the Circuit Court of Manatee County, Florida,

which involves Building Permit No. 18511, dated November 2, 1978, and the construction of a truck terminal facilities on 21st Street East north of 63rd Avenue East, together with a requirement that a portion of said 21st Street East be paved as part of the construction.

Motion was made by Mr Driggers to authorize the County Attorney to represent the County. Motion was seconded by Mr McGavic and carried unanimously.

CLERK'S CONSENT CALENDAR

Upon motion by Mr McGavic, seconded by Mr Parrish, the Clerk's Consent Calendar dated January 22, 1980 was unanimously approved as follows:

MINUTES FOR APPROVAL

Special Sessions - December 20, 27, 1980.

BILLS FOR PAYMENT

| | |
|------------------------------------------------------|-----------|
| John P. Huth Insurance Inc (Cornwell, official bond) | \$ 250.00 |
| Refund: Goodson Electric Inc (permit #30361) | 25.50 |
| Manatee Memorial Hospital | 6,130.16 |
| Manatee Memorial Hospital | 331.36 |

VOUCHER FOR TRANSFER OF FUNDS

| | |
|------------------------------------------|--------------|
| Florida Department of Transportation to | |
| Manatee County Transportation Trust Fund | \$574,008.00 |

GENERAL REVENUE SHARING SURVEY, 1979


Authorization for the Chairman to sign Form RS-8.

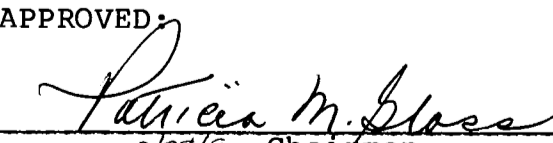
MEETING ADJOURNED

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

Attest:

APPROVED:


Clerk


2/28/80 Chairman

Adj: 3:36 p.m.