

JANUARY 31, 1980

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION in the Courthouse, Bradenton, Florida, Thursday, January 31, 1980 at 9:13 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
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; Mark Todd, Sarasota Herald-Tribune and others who entered during the meeting.

The meeting was called to order by Chairman Glass.

BOY SCOUTS WEEK

In that the Boy Scouts of America for 70 years has provided a program of character building, citizenship training and personal fitness for the youth of our area, and the Cub Scout program is celebrating in 1980 its 50th anniversary, Mr McGavic read a Proclamation, proclaiming the week of February 3-9, 1980, as Scouting Anniversary Week, and asking that all the citizens of Manatee County give recognition to "Scouting...the Better Life".

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

ZONING: VIOLATION (SANDBLASTING IN RESIDENTIAL DISTRICT)

Mr McGavic requested the County Attorney be authorized to initiate legal proceedings to immediately remedy an apparent zoning violation that has been pending for approximately two years (sandblasting and welding in a residential district, in the area of 57th Ave East between 12th and 13th Streets). He stated that the owner of the property is Walter Scalabrin of Sarasota. The operator is Lee Sly, who is living in a mobile unit without proper utilities (septic tank, water, electric, etc) and is possibly also in violation of Health Department regulations.

Upon verification by Dave Fulford, Planning and Development Enforcement Officer, that the attorney in the State Attorney's office who handles environmental matters advised that charges have been filed, it was the concensus of the Board that the County Attorney should monitor the situation and see that it is carried through.

HOUSEMOVING NO. 99 (JEFFRIES) - APPROVED

In connection with Housemoving No. 99, application by A. F. Jeffries (deferred in previous meeting 1/24/80), motion was made by Mr McGavic that the moving permit be approved with the following stipulations: 1) All plans be approved before moving the structure to insure Code compliance with all applicable County Codes. 2) That a bond be posted in the amount of \$10,000 to cover the cost necessary to insure Code compliance. 3) That the \$1,500 bond be posted. 4) That the work be completed within one year.

Motion was seconded by Mr Driggers for discussion.

In response to question by Mr Driggers the County Attorney advised that the new procedure requires the mover to post a \$5,000 instead of a \$1,500 bond and that the house must meet the Code before a Certificate of Occupancy may be issued.

Mr McGavic corrected his motion to grant the permit under conditions that:

- 1) the mover post a \$10,000 bond to insure compliance with the Code
- 2) that he complete compliance with the Code within one year of moving.

Corrected motion carried unanimously.

AIRPORT: MANATEE COUNTY AIRPORT AUTHORITY (PROPOSED)

James R. Dryer, Chairman, Sarasota Manatee Airport Authority, appeared before the Board as the representative of Manatee County on the Airport Authority, and also as a concerned citizen of Manatee County. He submitted a prepared statement recommending that the Board create, or cause to be created through Legislative action, a "Manatee County Airport Authority" charged with the responsibility to construct and operate an air carrier airport located entirely within Manatee County.

He stated that he has not investigated the administrative start-up costs, but funds are available for one-hundred percent land acquisition and that most of the construction cost can be financed through Federal grants.

Bill Fay, County Attorney, pointed out that under General Law, the Board of County Commissioners may serve as an Airport Authority, but cannot delegate this responsibility. Mr McGavic suggested the Board establish itself as an Authority and proceed to determine administrative costs of such undertaking. It was, however, the consensus of opinion of the Board that they are not prepared to make a decision at this time.

The Chairman declared action deferred, and advised Mr Dryer that he will be kept apprised on any action the Board may take in regard to the matter.

Mr Dryer made a copy of a draft of the "Master Plan" Technical Report available for the Board's review and consideration.

RECESS/RECONVENE

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

MANATEE COUNTY COMPREHENSIVE PLAN - PORT AND AVIATION ELEMENTS

Bob Rile, Planning and Development Department, submitted documents reflecting the revisions previously proposed to the Manatee County Comprehensive Plan, Port and Aviation Elements (ref. work session January 3, 1980) and requested authorization to advertise public notice for a public hearing on the subject elements on February 26, 1980, and that the subject elements thereafter be adopted with an effective date of July 1, 1980.

Mr Rile reviewed the documents and was available to answer any questions.

In response to a question by Mr McGavic as to whether the Master Plan for Port Manatee would have standing over this document or if it would become a part of this document, Mr Rile stated that it is the understanding of the Planning Department that the content of the Master Plan for the Port would ultimately be incorporated into the Comprehensive Plan.

Mr Driggers made a motion to advertise for public hearing on the Port and Aviation Element of the Comprehensive Plan (February 26, 1980). Motion was seconded by Mr Fortson and carried unanimously.

WHITFIELD GROVES SOUTH SUBDIVISION - BOND

Based on the certification of Triad Tech, Inc., Engineer of Record for Whitfield Groves South Subdivision, the recommendation of the

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Cont'd

Director of the County Highway and Engineering Department, and on the fact that all work has been completed except the grading and seeding of the right of way, motion was made by Mr Parrish and seconded by Mr Driggers to approve the reduction of the performance bond from \$13,000 to \$1,000.

Motion carried unanimously.

CHANGE ORDER - 71ST ST N.W.

Upon motion by Mr Driggers, seconded by Mr Parrish the following Change Order was unanimously approved:

Change Order No. 1 - Ashland Warren, Inc
71st Street N.W. - Highway Project 3025
To Decrease Contract by \$1,215.00

SODBUSTER FARM, UNIT II - STREETS AND ROADS ACCEPTED

Based on certification of Manatee Engineering, Inc., the Engineer of Record for the project, and on the inspection and recommendation of the County Highway and Engineering Department, motion was made by Mr Parrish that the streets and drainage improvements of Sodbuster Farm, Unit II be accepted for County maintenance. Motion was seconded by Mr Driggers and carried unanimously.

TRANSIT - INSURANCE CLAIM SETTLEMENT (FANTA)

In order that H. K. Peters, Claim Adjuster, Employers Group Insurance, Inc., (Zickafoose Financial Services, Inc) might discuss settlement with the claimant in a bodily injury case resulting from an accident that involved a County Transit vehicle, the County Administrator submitted and recommended approval of the request by Mr Peters, that settlement authorization up to \$4,000 be granted

RE: County Case No. 53
Transit Driver Evelyn King
D/A 12-19-79, Ins. Claim No. 279-163
Claimant - Joseph Fanta

Motion was made by Mr Parrish to approve the request. Motion was seconded by Mr Fortson and carried unanimously.

SOUTH COUNTY YOUTH CENTER - PARKS AND RECREATION EQUIPMENT

Due to lack of justification of the public need, the County Administrator submitted and recommended denial of a request by the South County Youth Center for the use of County Park and Recreation personnel and equipment to relocate a fuel tank at the Youth Center.

Motion was made by Mr Fortson that the request be denied. Motion was seconded by Mr McGavic and carried unanimously.

BOYS CLUBS OF MANATEE COUNTY INC - PARKS AND RECREATION

The County Administrator submitted and recommended approval of the request by George J. Palino, Executive Director, Boys Clubs of Manatee County, Inc., that the Parks and Recreation Department perform annual maintenance on the Boys Clubs' baseball fields at Bradenton, DeSoto and Palmetto.

Action was deferred until later in the meeting.

LAWSUIT: SMITH; KEELS; McCLURE - BIG D ENTERPRISES, INC

In connection with litigation involving the rezoning of real property in the vicinity of U.S. 301 and Memphis Road from M-1 to M-2 (R-977) and seeking to obtain an injunction against the use of the property in any manner inconsistent with the previous zoning, and for a declaration by the court that the rezoning was improperly done and of no force or effect, the County Attorney submitted his letter dated January 29, 1980,

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Re: Raymond Smith; Don. Keels and Melinda Keels, his wife, Dan McClure, and Ralph Smith, Plaintiffs, vs. Big "D" Enterprises, Inc., and the County of Manatee, Florida, Defendants, in the Circuit Court of Manatee County, Florida

and requested authorization to take whatever legal steps necessary to protect the interests of the County.

Motion was made by Mr McGavic that the County Attorney be authorized to defend the County in this litigation. Motion was seconded by Mr Fortson and carried unanimously.

PITTSBURG PARK SUBDIVISION - GRANT OF EASEMENT AND OPTION

In connection with vacation of a portion of Edgewood Road aka 56th Avenue East and the adoption of a resolution (V-9-79, dated 1/10/80) containing a provision making same contingent upon certain conditions, the County Attorney submitted and recommended acceptance of a Grant of Easement and Option from Izetta Jamison granting to the County a perpetual non-exclusive easement and a perpetual option to purchase certain property in Pittsburg Park Subdivision.

Motion was made by Mr Driggers to accept the Grant of Easement and Option. Motion was seconded by Mr Fortson and carried unanimously.

RECORD S8-260

COMPLAINT - SALE OF STRAWBERRIES ON STATE RIGHT OF WAY

After determining that a violation concerning sale of strawberries along a certain roadside was occurring on a State, rather than a County, right of way, Chairman Glass stated that if Mr Driggers would furnish the name and address of the violator, she would forward a letter to the complainant advising that the County has no jurisdiction on the State right of way.

BOARD OF COUNTY COMMISSIONERS - COMMITTEE ASSIGNMENTS

Chairman Glass submitted the list of Current Assignments indicating the Committees on which each Commissioner is currently a member or serves as liaison agent, together with the meeting dates of said Committees. She specifically requested discussion as to whether the Board should have representation on the Library Board and the Affirmative Action Board.

After discussion, it was the concensus of opinion that Board representation on the Library and Affirmative Action Board was not necessary.

Mr Driggers stated that he is no longer on the Agriculture Committee of S.A.C.C., but is presently the Chairman of the Transportation Committee, S.A.C.C.

Mr McGavic advised that his position with the Downtown Development Authority is strictly Liaison.

GROSSMAN, AL - COUNTY ADMINISTRATOR

Al Grossman, citizen, commented on the role of the Board and that of the County Administrator in providing services for the elderly in general, and bus service in particular.

BOYS CLUBS - PARKS AND RECREATION

In connection with the request by the Boys Club submitted earlier in the meeting, the County Administrator reported that John Marble, Director of Parks and Recreation, advised that the maintenance could be provided at a cost of \$2,086, and that this is a budgeted item.

Motion was made by Mr Parrish and seconded by Mr Driggers to approve the request.

Motion carried unanimously.

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CLERK'S CONSENT CALENDAR

Upon motion by Mr Parrish, seconded by Mr McGavic, the Clerk's Consent Calendar dated January 31, 1980 was unanimously approved as follows:

BILLS FOR PAYMENT

W. R. Frizzell, Architects, Inc (Public Safety Complex)	\$128,286.88
Refund: Ernest Howell (permit #25219)	118.00
Campbell Plumbing (permits #15978; #15979)	50.00

WARRANT LISTS

Approve Warrant Lists from January 22, 1980 to January 31, 1980 and authorize Warrant Lists to February 5, 1980, 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.

BOARD OF COUNTY COMMISSIONERS - AUDIT REPORT

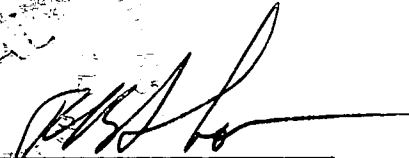
Upon motion by Mr Parrish, seconded by Mr McGavic, the Board unanimously accepted a copy of the State of Florida, Office of the Auditor General Report No. 9606, general audit of the accounts and records of the Board of County Commissioners, Manatee County, for the fiscal year ended September 30, 1978.

MEETING ADJOURNED

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

Attest:

APPROVED:


Clerk


3/13/80 Chairman 3/13/80

Adj: 11:30 a.m.