

APRIL 15, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, April 15, 1980 at 9:03 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; Libbey Allison, The Bradenton Herald; Jeanne France, WTRL; Mark Todd, Sarasota Herald-Tribune, and others who entered during the meeting.

Invocation by Reverend Roy L. Reynolds, Bayshore Baptist Church.

The meeting was called to order by Chairman Glass.

LEGISLATION - DRI PROCESS

Mr Driggers commented on two bills pending before the State Legislature regarding changes in the DRI process and restructuring of Regional Planning Councils, and after discussion, there were no objections to the County Attorney and the Planning and Development Department reviewing the proposed bills to determine which would afford better latitude to the Regional Planning Council.

41ST AVENUE EAST CUL DE SAC

After a brief discussion on the problems created by the elimination of a cul-de-sac at the end of 41st Avenue East by the construction of I-75 across the Avenue, (used as a turn around for school buses) it was the concensus of the Board that the County staff be authorized to determine if the problem is a direct result of action by the Department of Transportation, and to compile detailed cost estimates on what it would cost the County Highway Department to construct a cul-de-sac at that location.

T-3 ZONING

Upon question as to the status of T-3 Zoning, the County Administrator stated the subject matter has been scheduled for a work session in the near future.

DUAL STREET DESIGNATION: OPPOSITION BY LOCAL POST OFFICE

The Chairman read a letter from John R. Baggett, Jr., Postmaster, Bradenton, dated April 14, 1980, expressing his opposition to dual street names, and advising that mail addressed to a second street name would be returned to sender as "Insufficient Address" unless the employee by chance recognized the street name location.

STEWART ELEMENTARY SCHOOL: REQUEST FOR BIKE PATHS

Paul and Gwen Palmateer, residents on 17th Avenue N.W., submitted a petition with 146 signatures requesting bike paths or walkways be built from their neighborhood (north of Stewart Elementary School) to the school. Mr Palmateer emphasized that there is only one entrance to the school. This is on 15th Avenue, N.W., off 75th St., and students living north and west of the school have to be transported to the school in private cars as there are no sidewalks on 75th Street, West. He pointed out that although he lives only a block and a half from the school, his children will have to travel a mile to get there; that bus service will not be available due to the fact that he and his neighbors live within two miles of the school.

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Possible remedies discussed were: Knollwood Subdivision, which will be coming before the Board in the near future for Final Plat approval, providing a bike path; the School Board formally addressing this issue; 83rd St. N.W. being extended to the school property; and property on the north and west of the school, which is fenced, being condemned as being "in the public interest."

After discussion, it was recommended that the Palmateers arrange to appear before the School Board to explain the problem, and that the County Administrator arrange to have members of the Planning and Development Department at the same meeting, giving recognition to the fact that a problem does exist at Stewart Elementary School.

SHADY PINES SUBDIVISION (P&F) - RECONSIDERATION OF PREVIOUS ACTION

Earl Snyder, developer, and his attorneys, Roger Conley and John Hawkins, appeared before the Board requesting reversal of the denial by the Board of the preliminary and final plat of Shady Pines Subdivision on April 10, 1980.

Mr Conley pointed out that Shady Pines is only a two-lot subdivision and though this request was denied due to its being on a non-County maintained road, Sunny Lakes Subdivision, adjacent to Shady Pines, is on a non-County maintained road serving 24 duplexes. He also mentioned the fact that Mr Snyder has incurred considerable expenses on the proposed subdivision and should have been advised of the policy regarding non-County maintained roads at the outset.

Following a statement by Mr Snyder that, in order to have the denial of Shady Pines reversed, he was agreeable to blacktopping 400 feet of 12th Street West if the County would bear the expense of priming the street for paving, action was deferred to Tuesday, April 22, 1980, to afford Mr Snyder an opportunity to meet with the County Highway Department to resolve the details of the proposed special participation project.

It was clearly stated by the Board that this is a special exception and is not to be considered as a precedent of the Board.

RECESS/RECONVENE

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

BRADEN OAKS: DUAL DESIGNATION OF STREETS

In view of the letter from the Postmaster read earlier in this meeting, William Hadden, representing residents in Braden Oaks Subdivision, declined to submit a petition requesting dual designation of certain streets.

LIBRARY: LEASE AGREEMENT (CITY OF HOLMES BEACH; ANNA MARIA ISLAND)

The County Attorney reported that a lease agreement incorporating the terms and conditions requested by the Friends of the Island Library and the City of Holmes Beach for the Anna Maria Library, basically a 99-year lease on a narrow strip of land once used as an air strip and located near the City Hall, Holmes Beach, has been completed and transmitted to David Dietrich, City Attorney, on April 2, 1980.

Cornelia Uber, Vice Chairman of the Manatee County Library Board, requested that execution of the lease be expedited, and reported that Friends of the Island Library Association has raised \$35,000 for the library. She indicated that the City of Holmes Beach is prepared to sign the lease agreement at its regular council meeting to be held this evening.

Eleanor Walker, President of the Friends of the Island Library Association, also requested expeditious action.

There were no objections to the County Attorney contacting Mr Dietrick to determine the status of the lease agreement and reporting his findings to the Board on Thursday, April 17, 1980.

SAFETY COUNCIL RECOMMENDATIONS

Among points brought out during a discussion regarding policy involving recommendations by the Safety Council were: whether the Highway and Engineering Department reviews the recommendations; the need to have traffic engineers review all such requests; and whether the County Engineer should determine and implement his decision without specific approval by the Board (except in matters requiring adoption of an ordinance, etc.).

The recommendations of the Safety Committee outlined in the letter from Bob Pierro, Chairman, dated April 1, 1980, were referred to the Highway and Engineering Department for specific recommendations by the County Engineer.

EARTHMOVING PERMIT (WILLARD BLACK)

Upon motion by Mr Driggers, seconded by Mr Parrish, a permit was unanimously granted Willard Black to engage in a minor earthmoving project on a site located in the Linger Lodge area.

MATERIALS AND SERVICES

The County Administrator submitted for approval recommendations of the Materials and Services Department, outlined in memoranda from John F. McCarthy, Assistant Director, dated April 9, 1980:

UTILITIES

1. Bid No. 80-34 Tractor Backhoes with front loaders
 - a. Award to lowest responsible bidder, Franz Tractor Company, at a total of \$69,800.00 for two tractors.

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

PARKS AND RECREATION (GOLF COURSE)

1. Toro Groundskeeper 72 mower
 - a. Purchase from the State Contract, Zaun Equipment Inc., at \$6,294.00

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

HUMAN SERVICES

The County Administrator submitted recommendations of the Human Services Department outlined in a memorandum from Kathy Snell, Director, dated April 8, 1980:

- (1) Change the Manatee County Private Industry Council By-Laws Article II, Membership, Section I, Term: Change the last word in line one of Section I to read "maximum" rather than "minimum".
- (2) Authorize the Chairman to sign a revised grant application for Title III Older Americans Act funds to construct an addition to the Samoset Multi-Purpose Center, to change the amount of the local in-kind contribution to \$13,483 and the length of the grant to five months, from May 1, 1980 to September 30, 1980. It does not change the amount of federal assistance (\$109,000).
- (3) Authorize the Chairman to sign a letter to the Hillsborough-Manatee Mental Health Board approving the programmatic aspects of its 1980/83 Comprehensive District Plan, with the understanding that the level of County financial participation in the Plan will be determined through the regular County budgeting process.

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Action on these requests was deferred until later in the meeting in order that a representative of the Human Services Department might be present to explain item (2).

BUDGET AMENDMENT - EMERGENCY MEDICAL SERVICES

Upon motion by Mr McGavic, seconded by Mr Driggers, a resolution was unanimously adopted to amend the 1979/80 budget by item to item transfer:

EMERGENCY MEDICAL SERVICES

From: Reserve for Contingency
To: EMS-Road Equipment

\$29,000.00

RECORD RESOLUTION S9-147

PERSONNEL POLICY - EMERGENCY MEDICAL SERVICES (EMS)

The County Administrator submitted proposed amendment of the Personnel Policy Rules and Procedures Resolution, (12/18/80) outlined in a memorandum from Robert E. Fowler, Personnel Director, dated April 7, 1980, proposing to bring the "charge" rates of sick and vacation leave into alignment with accrual rates as it relates to Emergency Medical Services employees.

Ken McKendree, Director of Emergency Medical Services, recommended adoption of the amendment, which, as explained by Mr Fowler, will allow all Emergency Medical Technicians and Paramedics to earn vacation/sick leave based on the number of hours actually worked and their leave accounts to be reduced by the number of hours the employee is actually absent.

Motion was made by Mr Driggers that the proposed amendment to the Personnel Policy as it relates to EMS be approved. Motion was seconded by Mr Fortson and carried unanimously.

RECORD S9-148

HUMAN SERVICES

In reference to recommendations of the Human Services Department submitted earlier in the meeting, Barbara Johnson, Senior Planner, explained that the budget change requested in Item (2) of the memorandum was brought about by a budget computation error, but because the local match is an "in-kind" contribution, no additional funds are necessary.

Motion was made by Mr Driggers to approve the three items as outlined. Motion was seconded by Mr Parrish and carried unanimously.

TRAVEL AUTHORIZATION - COLLIER

Upon motion by Mr Driggers, seconded by Mr Parrish, authorization was unanimously granted David B. Collier, County Administrator, to travel to Daytona Beach April 23-26, 1980, to attend a Florida City and County Management Association conference.

PUBLIC SAFETY COMPLEX - ARCHITECTS

The County Administrator submitted a letter from George H. Bail, President, W. R. Frizzell Architects, Inc., dated April 10, 1980, in which Mr Bail states, that upon guarantee of payment of fees early in the next fiscal year, his firm is willing to proceed immediately with the Construction Documents for the proposed Public Safety Complex in order to be in a position to issue plans to bidders by mid September. He estimated the earned fee at that time at \$150,000.

After discussion, the County Administrator was instructed to make a budgetary review and submit recommendations to the Board on Thursday, April 17, 1980.

INSURANCE CLAIM (McLELLAND) - TRANSIT

The County Administrator submitted and recommended approval of a letter from H. K. Peters, Claims Adjuster, Employer's Group

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Insurance, Inc (Zickafoose Financial Services, Inc) dated April 9, 1980:

Re: Claim No. 67, D/A 3-10-80
Transit Driver J. M. Ritchie
Claimants - Janet McLelland and Hazel Norris

recommending reimbursement of \$551.20 to Claimant McLelland for out-of-pocket expenses paid by her to date.

Motion was made by Mr Fortson to approve the recommendation. Motion was seconded by Mr Driggers and carried unanimously.

LEGISLATION - LIBRARY STATE AID

Upon motion by Mr Driggers, seconded by Mr Parrish, the Chairman was unanimously authorized to forward a letter to members of the local Legislative Delegation advising that Manatee County is in favor of legislation which will provide full funding of the State Aid to Libraries Law, and urging their support of this legislation.

PARKS AND RECREATION/SCHOOL BOARD - INTERLOCAL AGREEMENTS

The County Attorney reported briefly on the progress of the drafting of Interlocal Agreements between the School Board and Parks and Recreation Department in connection with recreational facilities on school grounds.

INSURANCE

The County Administrator commented on information discussed in an informal conference with Gene Cloud, Cloud and Associates, regarding major medical insurance and a combination of insurance/self insurance. No action was taken.

EMPLOYEE GRIEVANCE (THOMAS)

Mr Driggers announced that he will be absent from the regular meeting of the Board on April 24th, and requested that a scheduled hearing of the grievance of Library Employee Thomas (Ablasha H.) be deferred until such time as he can be present.

After discussion as to what rules and regulations should apply during such hearings, Chairman Glass stated that she feels a full Board should be present for the hearing, and that the matter will be placed on the agenda Thursday, April 17, 1980, for further discussion as to the appropriate procedure.

The County Administrator will contact the grievant and attempt to ascertain how much time she needs to present her case.

FLORIDA POWER AND LIGHT COMPANY - HURRICANE EMERGENCY HEADQUARTERS

The County Attorney submitted and recommended execution of a lease agreement between the County and Florida Power and Light Company for space at the Agriculture Center, Palmetto, for the Power Company to establish a Hurricane Emergency Headquarters during hurricane season.

He identified this lease agreement as being essentially the same lease approved by the County last year, except that this lease has been lengthened and the rental increased accordingly (from April 1, 1980 to October 31, 1980; \$400 rental for the full lease).

Motion was made by Mr McGavic to approve the Lease and authorize the Chairman to sign. Motion was seconded by Mr Driggers and carried unanimously.

RECORD AGREEMENT S9-149

PALMA SOLA GOLF CLUB - AGREEMENT FOR WASTEWATER EFFLUENT

Based on the recommendation of R. A. Wilford, Director, Manatee County Utilities System, the County Attorney submitted a proposed Agreement, executed by officials of the Palma Sola Golf Club,

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whereby the Golf Club will pay for a pipe line (from the Cortez Treatment Plant to the property line of the golf course) to deliver wastewater effluent from the treatment plant to the golf course for irrigation purposes, and the County will provide the effluent at no cost.

Motion was made by Mr Fortson to authorize the Chairman to sign the Agreement. Motion was seconded by Mr Driggers and carried unanimously.

RECORD AGREEMENT S9-150

EASEMENTS, UTILITY (DEVONSHIRE ASSOCIATES, LTD)

Motion was made by Mr McGavic and seconded by Mr Driggers to accept two (2) utility easements for recordation from:

DEVONSHIRE ASSOCIATES, LTD

Motion carried unanimously.

DEEDS, WARRANTY (GARST)

Upon motion by Mr Driggers, seconded by Mr McGavic, (2) two Warranty Deeds were unanimously accepted for recordation from Claflin Garst for County Right of Way as follows:

- 1) Parcel No. 2.1, 51st Avenue East
- 2) Parcel No. 3.1, 33rd Street East.

CLERK'S CONSENT CALENDAR

Upon motion by Mr McGavic, seconded by Mr Fortson, the Clerk's Consent Calendar for April 15, 1980 was unanimously approved as follows:

MINUTES - Thursday, March 13, 1980.

BILLS FOR PAYMENT

Sheriff's Dept. (Marcus Myers)	\$ 10.00; \$10.00
Benjamin Williams (Insurance claim)	\$898.85

PROPERTY MANAGEMENT

Deletion of Assets from Inventory:
 Asset No. 7420 - Air Conditioner; Asset No. 3351 - Air Conditioner;
 Asset No. 2772 - 1955 GE Mobile Radio.

TAX COLLECTOR AUDITED FINANCIAL STATEMENTS

For Fiscal Years Ended September 30, 1977; September 30, 1978 and September 30, 1979.

WARRANTY DEED

From: Roland and Maria Kaiser - Right of Way Parcel 14.1, Lockwood Ridge Road.

WARRANT LISTS

From April 15, 1980 to April 22, 1980; and authorize Warrant Lists from April 22, 1980, to April 29, 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.

FIRST FEDERAL SAVINGS AND LOAN PROPERTY (ROESCH SUBDIVISION)

The County Administrator reported that an appraisal report by James M. Doss & Associates has been completed on the First City Federal Savings and Loan Association property (Roesch Subdivision, Lots 3, 4 and 5) placing the value of the property at \$127,000; that the owners are agreeable to selling the property to the County on a payment plan of three equal installments, including interest, over a three year period; and that \$40,000 for the first installment this fiscal year can be available through the Right of Way budget.

It was brought out during discussion that First City Federal has received other inquiries about the property and that a net figure

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of \$125,000 has been mentioned. There is, however, no contract for sale at this time.

After discussion, there were no objections to deferring action to the following Thursday, April 17th.

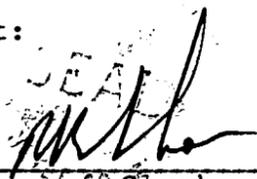
HOUSEMOVING - PRIVATE WATER WELLS

There were no objections to suggestion by Mr Driggers that during the processing of Housemoving Permit applications, private water wells be addressed by the Staff.

MEETING ADJOURNED

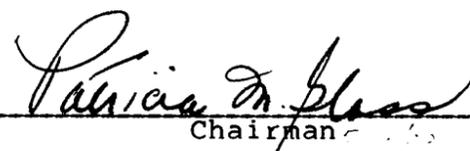
There being no further business, the meeting was declared adjourned.

Attest:



Clerk

APPROVED:



Chairman

Adj: 12:27 p.m.