

MAY 15, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Thursday, May 15, 1980 at 10:02 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
Ralph Umana, Assistant Finance Director, representing R. B. Shore, Clerk of Circuit Court

Representing the various news media were Betty Kohlman, St. Petersburg Times; Libby Allison, The Bradenton Herald; Barbara Forester, The Islander; Mark Todd, Sarasota Herald-Tribune, and others who entered during the meeting.

The meeting was called to order by Chairman Glass.

BECK ESTATES SUBDIVISION - ROADS; DRAINAGE

Elva Mimbs appeared before the Board seeking relief from road and drainage problems created by the development of Beck Estates Subdivision. He outlined problems caused by water draining down a dirt road into an existing overgrown pond that overflows during heavy rains, swamping his property and other property around the pond.

According to Jerome Gostkoski, County Highway Department, the drainage system was engineered to County requirements, and that developer is paving all the roads on which he owns fronting lots. This leaves one 400 foot road unpaved. The developer previously offered to share the cost of paving the remaining street, but due to lack of funds the County did not accept the offer.

Mr Gostkowski was instructed to inspect the development; contact the developer and ascertain if he is still willing to participate in paving the street; compile firm cost figures for the paving project, and report his findings and recommendations to the Board the following Tuesday (5/20/80).

HOUSING AND URBAN DEVELOPMENT (HUD) ASSISTED HOUSING PROJECTS

Public hearing was opened for discussion of proposed assisted housing projects:

- (1) Parkview Place, National Development Corporation
16th Street Court East, North of 26th Avenue East
22 small family units
(Project No. FL29-0057-094)
- (2) Windtree Apartments, Banco Mortgage Company
Northwest corner of 36th Avenue East and 5th Street East
19 elderly units; 77 small family units
(Project No. FL-29-0057-095)

Carol Clarke, Planner II, summarized the proposed projects, stating that under this Housing and Urban Development program, there are 96 units available in Manatee County, and all units may be awarded to a single developer or may be granted to two or more developers. At this time, the Board is not being asked to rank or prioritize the projects, but if the projects are developed they will be required to meet all County development regulations.

It was brought out during discussion that both projects are consistent with the numerical goals established in the Housing Assistance Plan and that on-site drainage is sensitive on both locations.

Public hearing was closed.

Ms. Clarke was instructed to prepare letters of summary to HUD for the Chairman's signature.

HOUSING AND URBAN DEVELOPMENT PROJECTS REVIEWS

In connection with four review applications for HUD assisted housing funds and the recommendations and findings from a previous Board meeting (4/29/80) Ms Clarke submitted and requested authorization for the Chairman to sign letters objecting to the following proposals as being inconsistent with the Housing Assistance Plan:

- (1) Project No. FL29-0057-096 - Manatee County Housing Authority
96 units of 12.4 acre site at
26th Street West, 900 feet South of Cortez Road
(would require a zoning change)

It was pointed out that the second paragraph of the proposed letters states that "the project is consistent with the established housing goals", followed by the statement that "the project is not located in an area designated as appropriate for assisted housing in the Housing Assistance Plan. It was recommended that the word "numerical" be inserted in front of the word "goals".

Motion was made by Mr Fortson that the Chairman be authorized to sign the letter, including insertion of the word "numerical" as recommended. Motion was seconded by Mr Driggers and carried unanimously.

- (2) FL29-0057-074 - The Shroder Company
77 rental units (15 of which will be assisted)
26th Street West, 900 feet South of Cortez Road
(would require a zoning change)

Motion was made by Mr Fortson, and seconded by Mr Driggers, that the Chairman be authorized to sign the letter. Motion carried unanimously.

- (3) FL29-0057-0008 - Bradley Construction
66 units (50 units for the elderly)
U.S. 301, South of Oneco Road
(access to the site is inadequate)

Motion was made by Mr Driggers, and seconded by Mr Parrish, that the Chairman be authorized to sign the letter.

After discussion of the inadequacy of the access, and the fact that the site is outside the area of the Housing Assistance Plan, motion and second were withdrawn.

Mr Driggers recommended and moved that the letter be changed to state that the the County objects to the proposal because the project is not located in an area designated as appropriate for assisted housing and access to the site is inadequate. Motion was seconded by Mr Parrish and carried unanimously.

- (4) FL29-0057-062 - Morrow Incorporated
44 units
Memphis Road in the vicinity of 45th Avenue East, Ellenton
(Incompatible with surrounding neighborhood)

Motion was made by Mr Driggers that the Chairman be authorized to sign the letter objecting to the site due to its incompatibility with the area. Motion was seconded by Mr Parrish and carried unanimously.

RECESS/RECONVENE

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

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HOUSEMOVING - LAW ENFORCEMENT TRAINING

Chief A. E. Hambacher, Palmetto Police Department, requested authorization to have a building, which was donated to the Palmetto Police Department, moved to the Lena Road Firing Range. He explained that the building is to be used by local law enforcement agencies for training purposes, and that the emergency nature of the request is brought about by a condition of the donation that the building be moved immediately or the owner will have it demolished.

Motion was made by Mr Parrish, and seconded by Mr McGavic, to waive normal procedure and authorize the building to be moved. Motion carried unanimously.

TRANSIT: ISLAND BUS ROUTE CHANGES

Phil Davis, Director, Transportation Department, reported that Mayor Connick of Bradenton Beach had expressed concern that the bus traveling on Cortez Road would no longer go south. The bus route change consisted of the Island bus running from the tip of Anna Maria Island to Manatee Avenue to connect with the Manatee Avenue bus; and the Cortez Road bus turning north at the end of Cortez Road to connect at the Manatee Beach.

The Chairman reported that residents of the Island communities were concerned about eliminating the bus stop at Coquina Beach.

Chief Doss, Bradenton Beach, requested a bus stop at Coquina Beach and reported the Town of Longboat Key is considering buying a bus which would connect at Coquina Beach.

Mr. Davis defined the goals of the Transportation Department: to provide service to the maximum amount of people at the most reasonable cost; and attempt to review routes and realign them in accordance with professional studies of fixed and reasonable criteria.

The Board concurred with proposal by Mr. Davis to run the Coquina Beach route on a temporary basis, for a maximum of 30 days, to determine the feasibility of the route.

TRAILER ESTATES/BAYSHORE GARDENS: DRAINAGE/BOAT CANAL

Thomas M. Gallen, Attorney representing Trailer Estates and Bayshore Gardens Park and Recreation districts, reported that excessive siltation in a County drainage canal is impairing the operation of his clients' marinas and boat basins. His clients have retained the services of Bay Engineering, Inc., to obtain the necessary maintain dredge permits. Mr. Gallen requested the County share in the costs of dredging and that the County maintain the canal. Photos showing the condition of the canal were circulated.

The Chairman advised that at a meeting with Trailer Estates and Bayshore Gardens, the Director of Highway and Engineering expressed his willingness to help in obtaining the necessary permits and explained in detail the extensive drainage work that is ongoing in that area.

Emil Tionia, Engineer; John Heckner, Bayshore Gardens, and Gene Hiray, Trailer Estates, were available to answer any questions. The engineer stated they have bids ranging from \$48,000 to \$64,000 which would be shared by the County, Trailer Estates and Bayshore Gardens.

After discussion regarding funds for the project, installing a weir, etc., action was deferred until Thursday, May 22, 1980, to afford the applicant's engineer and the County Highway Director to make further investigation and report their findings back to the Board.

REGENCY LAKES P.U.D. (ELLENTON)

Ralph Nelson, Planning and Architectural Consultant representing Regency Lakes P.U.D. located in Ellenton, requested a one-year extension of time to submit the preliminary plan due to economic conditions.

Motion was made by Mr. Driggers to grant the extension of one year. Motion was seconded by Mr. McGavic and carried unanimously.

WEST COAST MEDICAL TRANSPORT SERVICE, INC.

Don Shepherd, agent for West Coast Medical Transport Service, Inc., requested a Certificate of Public Convenience and Necessity to provide non-emergency medical services to the citizens of Manatee County (deferred from May 8, 1980). He requested approval for an interim of three years with an annual review to allow private sector to offer medical services in non-emergency transport.

Ed Whisnant, Attorney for West Coast Medical Transport Service, emphasized this service is for non-emergency cases and that it is not intended to compete with any emergency service.

Vick Knight, a local businessman, spoke in favor of the request.

Upon question, Ken McKendree, stated Emergency Medical Service (EMS) provides emergency and non-emergency service regardless of the individual's ability to pay.

There was discussion regarding the lack of sufficient ambulances to handle both emergency and non-emergency cases; priority given to having an ambulance available for emergency purposes rather than considering losing funds from EMS for non-emergency services; the need for private enterprise in this type service and expansion of the present EMS. It was pointed out that private sector may dilute the present Emergency Medical Service and it may be setting a precedent.

The applicant requested a two week extension to afford him an opportunity to compile additional data proving the need for such service. The Chairman granted the request.

RECESS/RECONVENE

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

LEGISLATION: WEST COAST INLAND NAVIGATION DISTRICT (WCIND)

Upon motion by Mr. Driggers, seconded by Mr. Parrish, the Board unanimously adopted a resolution opposing Senate Bill 1302 which would refund a share of surplus West Coast Inland Navigation District property to counties who have withdrawn as members. Bill 1302 was filed by the Pinellas County Legislative Delegation to require distribution of District assets to non-member counties.

RECORD RESOLUTION

S9-198

MINING ORDINANCE

The County Administrator reported that the Governor's office has prepared a completely revised mining ordinance which is before the committee.

U.S. POSTAL FACILITY (WEST BRADENTON)

The County Administrator was instructed to conduct a study of the boundary area for a proposed U.S. Postal Facility in West Bradenton. The preferred site indicated by the Postmaster is in an area bounded on the north by 3rd Avenue West, on the south by 7th Avenue West, on the east by 59th Street West, and on the west by Palma Sola Boulevard.

41ST AVENUE EAST CUL-DE-SAC

The County Administrator submitted a memorandum from Harry S. Ely, Director, Highway & Engineering, dated May 2, 1980 giving cost estimates for a cul-de-sac on 41st Avenue East (deferred from May 13, 1980). The cost estimate totaled \$9,676.30 (\$3,604.30 for Roadway; \$6,072 for Drainage). He pointed out that there was still a need to obtain right-of-way costs.

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Action was deferred to afford Mr. Driggers an opportunity to discuss the matter with Mr. Ely regarding possible Florida Department of Transportation assistance and/or donation of right of way by property owners.

MANATEE PALMS SUBDIVISION (PARK)

Motion was made by Mr. Driggers to authorize Parks and Recreation to survey for property lines of open playfield area in Manatee Palms Subdivision. Motion was seconded by Mr. Parrish and carried unanimously.

MOUNT VERNON SUBDIVISION NON-CONFORMING BOAT DOCKS

The County Administrator submitted a memorandum from Charles Carrington, Director, Planning & Development, dated April 30, 1980 advising that Mount Vernon Homeowners Association is appealing to the Board for approval to add a 3 square foot extension to three of the existing 3 foot by 20 foot boat docks which will assist the physically handicapped. The memo indicates that Planning and Development has no objection to the modification.

The County Administrator was instructed to obtain a more detailed description of the modification and send it to the Coral Shores Homeowners Association for input since they have previously objected to any modifications to the boat docks. The item would be scheduled for a regular Planning meeting.

TRANSIT: UMTA ASSURANCE OF COMPLIANCE

Upon motion by Mr. Fortson, seconded by Mr. McGavic, the Board unanimously authorized the Chairman to sign the UMTA Assurance of Compliance (relating to fare and/or service changes in Transportation System).

HIGHWAY: TRAFFIC SIGNALS

The County Administrator submitted a memorandum from Harry Ely dated April 28, 1980 outlining intersections which might warrant a traffic signal within the next four to five years. Mr. Collier pointed out that some on the list are currently being considered by Florida Department of Transportation, such as 75th Street W., at Cortez Road which has already been approved.

DRAINAGE: LINDEN LANE

The County Administrator submitted a request from the Highway Department for the Right of Way Department to acquire easements on Linden Lane, north from Tallevast Road, in order to change the drainage in that area to help prevent future flooding.

Mr. Driggers moved to approve the request. Motion was seconded by Mr. Parrish and carried unanimously.

HIGHWAY: TRAFFIC SIGNAL AT 75TH STREET, WEST, AT CORTEZ ROAD

Mr. Collier reported that the State Department of Transportation has approved a traffic signal at 75th Street, West, at Cortez Road; however, the County must fund the project.

The Highway Department was instructed to compute a cost estimate for installation of a traffic signal at that intersection.

COMMUNITY DEVELOPMENT BLOCK GRANT/SAMOSSET SEWER SYSTEM

Upon motion by Mr. Driggers, seconded by Mr. McGavic, the Board unanimously authorized the Chairman to sign a letter to the U.S. Department of Housing & Urban Development and the Request For Release of Funds and Certification for the Samoset Sewer Collection System, \$500,000 (Community Development Block Grant).

BUDGET AMENDMENTS: 59TH STREET - DENIED

Upon motion by Mr. Fortson, seconded by Mr. Driggers, a budget resolution for Parks & Recreation Department to install irrigation lines to control dust at 59th Street Park in the amount of \$24,000 was unanimously denied but use of a sprinkling truck is to be continued.

BUDGET AMENDMENTS

Upon motion by Mr. Driggers, seconded by Mr. Parrish, the Board unanimously adopted a resolution amending the 1979-80 budget to provide for the receipt and appropriation of unanticipated revenues:

VARIOUS SOURCES1. Increase Revenue

LEAA Fed. Criminal Justice 80-PS-18-0001;
LEAA State Criminal Justice 80-PS-18-0001;
Transfer to General Fund

Increase Expenditure

Criminal Justice Planning Unit 80-PS-18-0001 \$ 9,925.00
RECORD RESOLUTION S9-199

Upon motion by Mr. Driggers, seconded by Mr. Parrish, the Board unanimously adopted a resolution amending the 1979-80 budget to provide for the receipt and appropriation of unanticipated revenues:

UTILITIES1. Increase Revenue

Transfer from Surplus

Increase Expenditure

Elevated Tank #4 Water Treatment Plant \$888,350.00
RECORD RESOLUTION S9-200

and by item to item transfers:

2. From: Reserve for Contingency

To: Cortez Rd. - Main Relocation

\$ 75,000.00
RECORD RESOLUTION S9-201

3. From: Retained Earnings

To: Transfer to Surplus Construction Fund

\$888,350.00
RECORD RESOLUTION S9-202

Upon motion by Mr. Fortson, seconded by Mr. McGavic, the Board unanimously adopted a resolution amending the 1979-80 budget to provide for the receipt and appropriation of unanticipated revenues:

VARIOUS SOURCES1. Increase Revenue

Refund of Prior Year Expenditures

Increase Expenditure

Road Maintenance - Thoroughfare & Residential \$ 50,000.00
RECORD RESOLUTION S9-203

and by item to item transfers:

HIGHWAY & ENGINEERING

2. From: Reserve for Highway & Eng.

To: Road Maintenance-Thoroughfare & Residential \$100,000.00

RECORD RESOLUTION S9-204

Upon motion by Mr. McGavic, seconded by Mr. Driggers, the Board unanimously adopted a resolution amending the 1979-80 budget to provide for the receipt and appropriation of unanticipated revenues:

VARIOUS SOURCES1. Increase Revenue

Transfer from Capital Projects

Increase Expenditure

Equipment

\$ 1,616.00
RECORD RESOLUTION S9-205

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and by item to item transfers:

EMERGENCY MEDICAL SERVICES

2. From: EMS East County

To: EMS South County; EMS E.A.S.;
Transfer to EMS Operating

\$ 3,053.00

RECORD RESOLUTION

S9-206

45TH STREET EAST SPEED LIMIT (40 MPH)

The County Administrator submitted a resolution to establish a speed limit of 40 miles per hour on 45th Street East from 26th Avenue East to State Road 70.

Motion was made by Mr. Driggers to deny adoption of the resolution. Motion was seconded by Mr. McGavic.

After discussion, motion and second were withdrawn in order to determine if this is a residential street.

TRANSIT: ELDER BUS GRANT (BUDGET)

Upon motion by Mr. McGavic, seconded by Mr. Driggers, the Chairman was unanimously authorized to sign the 1980 Title III Elder Bus budget to be submitted to Tampa Bay Regional Planning Council.

LEGISLATION: HOUSE BILL 1298 (REORGANIZATION OF HEALTH DEPARTMENT)

Bob Fernandez, Assistant County Administrator, reported that Gary Knuckles, Lobbyist, requested direction from the Board regarding House Bill 1298 which relates to Reorganization of the Health Department. Essentially the Bill would change the Health Department from a County function with State support to a State function with some indirect County review while still being funded by the County.

Motion was made by Mr. Fortson to authorize Mr. Fernandez to relay to Mr. Knuckles the Board's opposition to the Bill and request Mr. Knuckles to submit this information to the local Legislative Delegation. Motion was seconded by Mr. McGavic and carried unanimously.

GARBAGE ORDINANCE: MANDATORY PICK-UP

Mr. Fernandez reported there were some questions regarding the Garbage Ordinance including direction given to the County Attorney by the Task Force to draft a new ordinance and whether it could be placed on the tax bill. The Chairman pointed out there are two elements at issue: whether it should be placed on the tax bill or whether garbage pick-up should be non-mandatory and suggested that it not be necessary to discuss the tax bill if the Board concurred on non-mandatory pick-up.

Motion was made by Mr. McGavic that the County implement a mandatory solid waste pick-up program. Mrs. Glass stepped down as Chairman to second the motion for discussion.

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

EASEMENT: GENERAL TELEPHONE COMPANY

Mr. McGavic moved to adopt a

RESOLUTION AUTHORIZING THE GRANT OF AN EASEMENT
TO GENERAL TELEPHONE COMPANY OF FLORIDA

across real property at the intersection of Cortez Road and 59th Street West in Gulf Trail Ranches.

Motion was seconded by Mr. Driggers and carried unanimously.

RECORD RESOLUTION AND
EASEMENT

S9-207

MARKER 50 CONDOMINIUM

The County Administrator reported that Manatee County Utilities System will be submitting comments regarding the impact of the Marker 50 Condominium on Tuesday, May 20, 1980 (discussed May 6, 1980).

PETITIONS: RIVER ISLES/TRAILER ESTATES

Two petitions were accepted into the record from:

1. River Isles - Opposing rezoning or special exception to allow the sale of beer, wine, whiskey, dope or dives on SR 64 from the Braden River to the I-75 Interchange.
2. Trailer Estates - Requesting a bicycle path along Route U.S. 41 from Florida Blvd. to Bayshore Shopping Center and eventually to Cortez Shopping Center.

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Parrish, seconded by Mr. McGavic, the Clerk's Consent Calendar dated May 15, 1980 was unanimously approved as follows:

MINUTES: Tuesday, April 15, 1980

BILLS FOR PAYMENT

Arrington, Cecile M. & J. W. Sr., Settlement Fleet Self Insurance	\$ 391.62
J. W. Conners and Sons, Inc. - Final Payment - 53rd Ave. from 41 to 301	160,628.91

CORRECTION TO MINUTES OF MAY 13, 1980

Amend motion to authorize Clerk's Office to pay Mr. Coleman's widow 45.24 hours pay instead of the 8 hours as previously approved.

DELETION OF FIXED ASSETS

From Utilities

<u>Asset No.</u>	<u>Item</u>
12795	RCA Mobile Radio
13827	1979 Dodge 1/2 Ton Truck

From Highway & Engineering

P-1	Pincor Generator RF2000 Electric Power Plant
S-26	Marlow Pump 9hp 3"
S-28	Star-rite Water Pump 1 1/2"
S-40	Three Jacks 12 Ton
S-65	Bushking Saw Model 880
S-89	Gas Driven Drill 1/2" chuck
5-22	Graco Gun
5-24	Gilbert Gas Pump
6-23	Fredonia Mixer
5-23	1950 Curtis Compressor
7-43	Water Pump 3"
7-50	Seaman Pump portable 3"
7-52	Kee Mower hand 21"
8-43	Homelite Pump 3"
8-84	Sickle Bar Triumph
8-85	Sickle Bar Triumph
8-86	Sickle Bar Triumph
9-12	Brush Bull Rotary Mower
9-30	Kee Mower 25"
9-36	Evinrude Motor 25hp
9-39	Barnes pump centrifugal 3"
9-67	Remington Chain Saw
9-68	" " "
9-69	" " "
9-71	" " "
9-77	Homelite Pump Portable
9-98	Remington Pipe Saw
9-99	" " "
10-28	Berkley Water Pump
10-54	Remington Gasoline Saw
10-64	Clipper Concrete Saw

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12-65	Stihl Chain Saw Farm Boss 20"
9370	Hand Grinder Portable B & D
2453	Fedders Air Conditioner Window Type
3092	GE Air Conditioner
3899	" " "
3928	" " " Window Type
4268	" " "
4999	Kee Mower C22
7595	Calculator
8140	Paper Cut-Off Machine 12 Inch
10008	McCulloch Generator 30000W Portable
10150	Homelite Mudhog Pump
10361	Century Pump Briggs & Stratton 2 1/2 hp
10014	Electric Power Plant 3000 watts B & S 7hp Engine

BANK SIGNATURES

Motion was made by Mr. Fortson to adopt a Resolution authorizing the following individuals to sign checks withdrawing funds from certain accounts in Westside National Bank:

R. B. Shore, Clerk of Circuit Court
and either
Patricia M. Glass, Chairman, Board of County Commissioners
or
Lamar S. Parrish, Vice-Chairman, Board of County Commissioners

Motion was seconded by Mr. McGavic and carried unanimously.

RECORD RESOLUTION

S9-208

RECESS/RECONVENE

The Chairman declared the meeting recessed at 3:31 p.m. until Friday, May 16, 1980 at 9:30 a.m.

MAY 16, 1980

The Board of County Commissioners of Manatee County, Florida, reconvened Friday, May 16, 1980 at 9:35 a.m. with all members present except Chairman Glass.

LEGISLATION

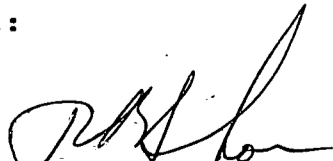
Gary Knuckles, County Lobbyist, gave a status report on various bills pending before the State Legislature including:

- 1) Trim Bill "Truth in Millage"
- 2) County Health Department Bill
- 3) Dual Tax Bill 1541
- 4) Mining and Reclamation Bill - (Basically this bill no longer exists)
- 5) House Bill 738, Amendment to Wilson-Grizzle Act
- 6) Airport Authority Bill Senate Bill 1363
- 7) Bills regarding Bonds and Bond Issues
- 8) Bills regarding 9th Cent Gas Tax
- 9) DRI Bill

MEETING ADJOURNED

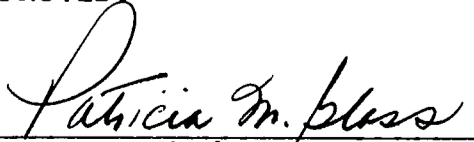
There being no further business, the meeting was declared adjourned.

Attest:



Clerk

APPROVED:



Chairman

Adj: 10:13 a.m.