

MAY 27, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, May 27, 1980 at 9:07 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; Libby Allison, The Bradenton Herald; and others who entered during the meeting.

Invocation by Rev. Charles A. Fairfield, First Assembly of God.

The meeting was called to order by Chairman Glass.

PROCLAMATION: NATIONAL SAFE BOATING WEEK

Upon motion by Mr. Driggers, seconded by Mr. McGavic, a proclamation was unanimously adopted proclaiming the week of June 1 - June 7, 1980 as National Safe Boating Week.

RECORD PROCLAMATION S9-226

LOT CLEARING PETITION LC-1321 (LUND/DICK)

Lot Clearing petition LC-1321, Lund vs Dick, was deferred pending information from Dave Fulford, Enforcement Officer, Planning and Development, as to whether or not the lot had been mowed.

MATERIALS AND SERVICES

The County Administrator submitted for approval the following recommendations outlined in memoranda from John F. McCarthy, Assistant Director, Materials and Services, dated May 20 and 21, 1980:

Highway

1. Traffic Control Products
 - a. Purchase from Transportation Control Systems on State Contract, \$22,105.60

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

Utilities

2. Bid 80-45 - Sludge & Dewatering Pumps
 - a. Award to lowest responsible bidder, Canarris Corporation for purchase of two Vortex sludge and dewatering pumps, \$3,324.00, and two seal-water Micron filters, \$88.00

Motion was made by Mr. Parrish to approve Bid 80-45. Motion was seconded by Mr. McGavic and carried unanimously.

3. Bid 80-39 - Total Carbon System Analyzer System
 - a. Award to lowest responsible bidder meeting specifications, Oceanography International, \$11,569.20

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

4. Change Order No. 1 - Gateway East Sewer System Modifications
 - a. Proj. No. 415.02.537.01 - Increase Purchase Order #31674 to Woodruff & Sons, Inc., \$3,392.46, due to additional paving required in restoration for the project.

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

HUMAN SERVICES

The County Administrator submitted for approval recommendations of Kathy Snell, Department of Human Services, as outlined in her memorandum dated May 20, 1980:

1. Rescind contract executed 4/22/80 with West and Conyers, Architects and Engineers Inc., for the Samoset Multi-Purpose Senior Citizens Center and authorize the Chairman to execute a new contract with West and Conyers, due to special conditions required by the funding source, as well as a delay in receipt of the grant award. RECORD AGREEMENT S9-227
2. Approve Non-Financial Agreement with Manatee County School Board, required by Title IV CETA regulations pertaining to a Local Education Agreement (Agreement revokes all previous LEA Agreements and is to be in effect until 9/30/80).
3. Authorize Chairman to sign Modification No. 2 to the Annual Plan Subpart No. 12-0-0165-27 for CETA Title VII Subpart I, Private Sector Initiative Program (PSIP) (total budget allocation remains at \$172,985.00).
4. Authorize Chairman to sign Modification No. 2 to the CETA Title IIB Annual Plan Subpart No. 12-0-0 165-10 (total budget allocation remains at \$855,222.00).
5. Authorize Chairman to sign Modification No. 2 to CETA Title IID Annual Plan Subpart Number 12-0-0165-21 (total budget allocation remains at \$908,425.00).

Motion was made by Mr. Fortson to approve the recommendations as outlined in memorandum of May 20, 1980. Motion was seconded by Mr. Driggers and carried unanimously.

BUDGET AMENDMENTS

Action was deferred on budget amendments for Tropical Gardens Trailer Park Drainage Work and Road paving in Beck Estates Subdivision pending further information from the Highway Department.

SHERIFF: BUDGET AMENDMENT

Upon motion by Mr. McGavic, seconded by Mr. Driggers, the Board unanimously authorized the Chairman to sign the Sheriff's Budget Amendment to include in the Salaries for Deputies and Assistants, CETA Contract 80-001-108, in the amount of \$2,568.80.

LIBRARY SERVICE AGREEMENT-HANDICAPPED PROGRAM

Mr. Driggers moved to approve and authorize the Chairman to sign the Blind and Physically Handicapped Grant Agreement between the State of Florida, Department of State Division of Library Service, and the Board of County Commissioners in connection with grant in the sum of \$17,500.00 from State Division, contingent upon funding by the Department of Health, Education and Welfare.

Motion was seconded by Mr. Fortson and carried unanimously.

RECORD AGREEMENT

S9-228

ANIMAL AND PLANT HEALTH INSPECTION SERVICE LEASE AGREEMENT

Motion was made by Mr. McGavic to approve and authorize the Chairman to sign a Lease Agreement with Animal and Plant Health Inspection Service (APHIS) with reference to an APHIS office trailer housed on County property at the Agriculture Center in Palmetto.

Motion was seconded by Mr. Parrish and carried unanimously.

RECORD AGREEMENT

S9-229

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TRANSPORTION: COMMUNITY SERVICES ADMINISTRATION TITLE TRANSFER AGREEMENT
Motion was made by Mr. McGavic to approve and authorize the Chairman to sign a Community Services Administration Title Transfer Agreement which is necessary to transfer the last Manatee Opportunity Council van to Manatee County.

Motion was seconded by Mr. Parrish and carried unanimously.
RECORD AGREEMENT

S9-230

MANATEE FAMILY "Y" EXPANSION PROGRAM: "FUN DAY"

The County Administrator submitted a letter from Westwood H. Fletcher, Jr., Executive Director of the Manatee Family "Y" Expansion Program dated May 23, 1980 requesting assistance on "Fun Day" races, scheduled for May 31, 1980, and sponsored by the Downtown Bradenton Association as follows:

1. EMS to assist in providing 2 or 3 aid stations and an ambulance along the run route (in conjunction with the Bradenton Fire Department).
2. Use of traffic cones, a truck, and two men to pick up, distribute and return the cones to the City or County yards.

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

HOUSING PROJECT REVIEW

The Chairman declared the public hearing open for the purpose of hearing comments regarding Assisted Housing Project as outlined by Carol Clarke, Planner, Planning and Development:

1. Application No. FL29-0057-115 - Manatee Apartments
12th Street East, South of Idlewild
92 Units - 45 Elderly units
46 Family Units
1 Manager Unit
Sponsor: Manatee Associates

Ms. Clarke stated this is another project which is part of the Department of Housing and Urban Development funds which will be available for housing in the form of rental assistance for moderate to low-income persons (refer to minutes of meeting of April 29, 1980).

It was pointed out that a zoning change will be required, that the proposal is not located in an area designated as appropriate for assisted housing in the Housing Assistance Plan, and that it would be necessary to pave 12th St. East. This information will be included in the review letter to HUD, which will be drafted for the Chairman's signature.

The Chairman declared the public hearing closed.

HOUSEMOVING PERMIT HM-80-9 (OXLEY)

In connection with Housemoving Permit HM-80-9 (deferred from May 22, 1980) for

Robert Oxley to move a building from
3212 21st St., East, Bradenton to
604 40th St., West, Palmetto
Pre-moving Number 27673

Paula Seeden and Robert Oxley, owners, stated they were not willing to post a bond to insure the house would be brought up to code since they have already initiated making improvements to the home and posting a bond would create a financial hardship.

Motion was made by Mr. McGavic to approve Housemoving Permit 80-9. Motion was seconded by Mr. Fortson.

Mr. McGavic explained that he was not requiring a bond in his motion because the staff can withhold a Certificate of Occupancy until the structure is brought up to code.

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

TALLEVAST HOMELAND SUBDIVISION - VACATION OF PLAT

Upon motion by Mr. Driggers, seconded by Mr. McGavic, action was deferred on the Resolution for Vacation of Plat, 80-V-4, Tallevast Homeland Subdivision, until such time as the legal description is corrected with additional language (deferred May 22, 1990). Motion carried unanimously.

OAKWOOD ESTATES (RAYE)

Marcus Raye appeared before the Board regarding his request of May 22, 1980 for certificates of occupancy on units in Oakwood Estates. He reported he had met with the Highway Department and was advised that a grant had been awarded for paving the first 800 feet of 21st Street East from the highway. He said it was his intention to use the contractor who is awarded the county bid to continue the paving from this point to his project while the contractor (with his equipment) is in the area as this would be more economically feasible for him.

Mr. Raye explained that he was requesting the County to issue certificates of occupancy without paved access if it is not his fault that the County has not paved its portion of 21st street (by the time his first units are ready); that when the County paves its portion he will pave the balance of the road to his project.

Mr. McGavic moved that, due to the circumstances, certificates of occupancy be issued if, through no fault of the developer, the road has not been paved by the County. Motion was seconded by Mr. Parrish and carried unanimously.

LOT CLEARING PETITION LC-1321 (LUND/DICK)

The Chairman declared the public hearing open for the purpose of considering

LC-1321 Lot Clearing petition of Violet Lund alleging that certain land owned by Robert Dick has not been cleared in accordance with the requirements of Section 2 of Chapter 69-1284, Laws of Florida, Special Acts of 1969

Dave Fulford, Enforcement Officer, Planning and Development, informed the Board that the lot has not been cleared.

Conrad Lund, 4808 27th Street, West, stated that the lot has not been mowed for at least two years.

Public hearing was declared closed.

Motion was made by Mr. Fortson to adopt a resolution requiring the lot be cleared. Motion was seconded by Mr. Driggers and carried unanimously.

RECORD RESOLUTION S9-231

RECESS/RECONVENE

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

TAMPA BAY REGIONAL PLANNING COUNCIL: DISTRICT ADVISORY COMMITTEE

Action was deferred on appointing a delegate to the Tampa Bay Regional Planning Council's District Advisory Committee to afford the County Administrator an opportunity to obtain additional information.

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DATA PROCESSING CENTER: EDP CONTRACT

The County Administrator reported that there was a meeting of the Board of Governors at the Data Processing Center on Friday, May 23, 1980 regarding the EDP Contract at which time he was instructed to analyze the possibility of having County employees operate that facility. He stated he would be reviewing the matter and report back to the Board at a later date.

SARASOTA-BRADENTON METROPOLITAN PLANNING ORGANIZATION

Upon motion by Mr. McGavic, seconded by Mr. Parrish, the Chairman was unanimously authorized to sign a letter to the Chairman of the Sarasota County Board of County Commissioners requesting they reconsider sharing the cost of an additional staff member and the use of a County automobile as requested by the Sarasota-Manatee Metropolitan Planning Organization.

RUSSELL AND AXON: NOTICE OF TERMINATION AS CONSULTING ENGINEER TO MANATEE COUNTY UTILITIES SYSTEM

Mr. Driggers moved to authorize the Chairman to sign a letter to Russell and Axon stating that in compliance with agreement dated July 25, 1967, effective 30 days from date of notice, services of Russell and Axon as Consulting Engineer to Manatee County Utilities System will be terminated.

STEWART ELEMENTARY SCHOOL: ACCESS ROADS

The County Administrator reported that he had met with Highway and Engineering and the School Board to review the access roads to Stewart Elementary School and to clarify what the County's and School Board's responsibilities were regarding the problem.

TWIN ISLE ESTATES SUBDIVISION, UNIT I

The County Attorney submitted a resolution accepting dedication of streets, avenues and highways in Twin Isle Estates Subdivision, Unit No. 1 (now known as Paradise Bay Trailer Park) and advised that the County may have already accepted them by use, such as the Highway Department having done maintenance work on them.

Motion was made by Mr. Fortson to adopt the resolution. Motion was seconded by Mr. Parrish and carried unanimously.

RECORD RESOLUTION S9-232

MUNICIPAL SERVICE TAXING UNITS

The County Attorney submitted a proposed

RESOLUTION ESTABLISHING PROCEDURES FOR THE CREATION OF MUNICIPAL SERVICE TAXING UNITS WITHIN THE UNINCORPORATED AREAS OF MANATEE COUNTY, FLORIDA, AT THE REQUEST OF PROPERTY OWNERS

Motion was made by Mr. Fortson to adopt the resolution. Motion was seconded by Mr. McGavic and carried unanimously.

RECORD RESOLUTION S9-233

UTILITY EASEMENTS (BRADENTON MALL HOLDING CORPORATION)

The County Attorney submitted and recommended approval of a Sanitary Sewer Easement and a Water Line Easement from the Bradenton Mall Holding Corporation which provides that in the event the Utilities System needs to complete any work under the easement area, they agree to restore the surface to its original condition.

Motion was made by Mr. Driggers to accept the easements. Motion was seconded by Mr. McGavic and carried unanimously.

ATHLETIC AND RECREATIONAL FACILITIES AGREEMENT - SCHOOL BOARD

The County Attorney submitted and recommended approval of a revised Interlocal Governmental Athletic and Recreation Facilities Agreement between the County and the School Board (previously approved by the Board on April 22, 1980). He explained that the agreement now

states the facilities should be operated by the School Board at regularly and specialy scheduled activities, and that when the County is maintaining it they assume liability for it.

Motion was made by Mr. Parrish to authorize execution of the agreement as signed by the School Board on May 6, 1980. Motion was seconded by Mr. Driggers and carried unanimously.

RECORD AGREEMENT S9-234

PUBLIC SAFETY COMPLEX - PURCHASE SHELTON PROPERTY

Motion was made by Mr. Fortson to authorize the Chairman to sign an agreement for sale and purchase on the Shelton Property located at 515 11th Street West, Bradenton, Florida 33505, for a total purchase price of \$85,000.00. This Agreement by and between Manatee County and Wirt J. and Jean A. Shelton and Rose Shelton is for the purchase of property described as

Lot 3 of the RE-SUBDIVISION OF BLOCK 7, PELOT'S ADDITION TO BRADENTOWN, recorded in Plat Book 2, Page 135

for the site of a Public Safety Complex or other public uses. Motion was seconded by Mr. Driggers and carried unanimously.

RECORD AGREEMENT S9-235

LAWSUIT: ESTECH GENERAL CHEMICAL CORPORATION

The County Attorney reported that the public hearings were conducted last week on the Estech General Chemical Corporation lawsuit and that all attorneys were instructed by the Hearing Officer to prepare written recommended orders and all briefs three weeks after the transcript is typed, and that he would enter his decision 30 days thereafter.

GARBAGE FRANCHISES

The Chairman reported that the motion regarding Garbage Franchises, May 22, 1980, has caused some confusion and requested that clarification of the motion be made and that action of May 22nd be rescinded.

After discussing the previous motion and amendment to that motion, Mr. Driggers moved that the County staff proceed with the preparation of proposed agreements renewing the existing garbage franchises for an additional five years to be presented to this Board of County Commissioners for consideration and further directing County staff to work toward a mandatory or total collection system within the next franchise period. Motion was seconded by Mr. Parrish.

Bob Hanna, General Manager of Cedar Hammock and T. M. Gilmore, noted some of the problems that can be worked out after the franchises are renewed, stating he was hopeful there would be an indication by the Board that the Agreements would be renewed on July 1.

Motion carried unanimously.

Upon question, the Chairman stated this motion rescinds that motion made on May 22, 1980.

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Fortson, seconded by Mr. Parrish, the Clerk's Consent Calendar dated May 27, 1980, was approved as follows:

BONDS

Driveway Permits Accept: Jerome & Nancy Carter \$800
Permit No. 6972
Release: C. H. Inalsingh, \$300, Permit No. 6065

BILLS FOR PAYMENT

Crom Corporation (Proj. 630-671-04; Est #2) \$179,627.22
Dept. of General Services (Suncom Network) 1,020.53
Dr. Lehman & Associates 2,601.97

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WARRANT LISTS

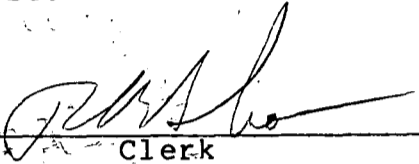
Approve Warrant Lists from May 20 to May 27, 1980 and to authorize Warrant Lists to June 3, 1980 said Warrant Lists to include any payrolls during that period upon condition that all employees have performed their services in accordance with time and payroll practices of the County departments.

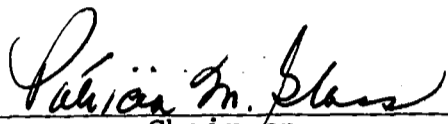
MEETING ADJOURNED

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

Attest:

APPROVED:



Clerk

Chairman

Adj: 11.37 a.m.