

MAY 29, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Thursday, May 29, 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
Robert Fernandez, Assistant 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.

The meeting was called to order by Chairman Glass.

GUN PERMIT RENEWAL PROCEDURE

The County Attorney reported that the proposed gun permit renewal procedure has been routed to the Sheriff's Department for review, but that comments have not been received. Upon question, he said the Board can consider applications for existing gun permits before adopting renewal procedure.

Mr. Parrish recommended that the Sheriff submit his comments by Tuesday, June 3, 1980.

WEST COAST MEDICAL TRANSPORT SERVICE

Don Shepherd, Agent, and Ed Whisnant, Attorney for West Coast Medical Transport Service, Inc., were present in connection with their request of May 8, 1980, to authorize the Chairman to sign the Certificate of Public Convenience and Necessity to provide non-emergency medical services to the citizens of Manatee County.

Mr. Shepherd submitted documents including information previously submitted to Board for review, a petition with several hundred signatures in favor of the service, list of calls from Emergency Medical Service to Fire Departments for assistance, January 1, 1980 to May 21, 1980, copy of Bradenton Police Department Offense Report, dated May 22, 1980, and a letter from Kathy H. Kennedy (Consultant, WCMTS), to the County Administrator dated April 29, 1980.

The points brought out in discussion during previous meetings were summarized. Motion was made by Mr. Fortson that the application for the certificate be denied. Motion was seconded by Mr. Driggers. Voting "Aye" were Commissioners Glass, Parrish, Fortson and Driggers. Voting "No" was Commissioner McGavic. Motion carried.

MARKER 50 CONDOMINIUM

In connection with the Marker 50 Condominium project, the County Attorney advised that the County may exercise its judgment and discretion to prohibit the issuance of building permits, withdraw or cancel permits already in existence in that area, and/or issue a moratorium, if there is a clear and present danger to the public health, safety and welfare of the community. He submitted a letter dated May 28, 1980 from Marker 50 Yacht and Racquet Club which itemizes list of monies expended or obligated to be spent on the project (total \$405,570).

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Among those present and speaking in opposition to the proposed project were John Blue, Attorney representing Frank Cipriani, Veril Schmidt, representing Sagamore Estates and Sunny Shores Mobile Home Park, Ralph Garthwait, 127th Street, Dick Blankenship, 1102 Palma Sola Boulevard, Wyman Coarsey, Lothar Geyer, 129th Street, Bob Lowery and Mary Brownell.

Richard Hampton, representing Playa Investments, Inc., requested that building permits for the Marker 50 Yacht and Racquet Club be issued so that the project may proceed. He commented that his client recognizes the road problems in the area, has offered financial assistance in correcting the intersection at 127th Street and Cortez Road and is willing to execute the agreement with the Highway Department, with any reasonable amendments thereto.

RECESS/RECONVENE

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

MARKER 50 CONDOMINIUM (Cont'd)

Following discussion pertaining to increased traffic in the area and possible danger to the public health, safety and welfare in the community, motion was made by Mr. Fortson to impose a thirty day moratorium; restrict all building permits during that time; instruct the Staff to review the impact of the development in the area (borders on Palma Sola Bay, Sarasota Bay and Anna Maria Sound, Cortez Road, and 123rd Street extending northerly to the Bay) as it pertains to roads and rezoning and report back to the Board, with recommendations for solutions, at the earliest possible time. Motion was seconded by Mr. McGavic for discussion.

Upon question as to whether the moratorium was limited to commercial and multi-family development and whether it included rescinding all existing permits (for that type development), Mr. Fortson answered in the affirmative.

Motion carried unanimously.

In that the County Attorney will prepare the Emergency Ordinance for review by the Board on Tuesday, June 3, 1980, the Planning Department was instructed not to issue any permits during the interim. They were also instructed to begin review of the development immediately and consider this a high priority project.

(Depart Mr. McGavic)

EARTHMOVING PERMIT (BARTELS)

Bill Swan, Planning Department relayed a request by James W. Bartels that the Board approve his application for Earthmoving Permit No. CC-42 for the purpose of excavating for a 125' x 75' lake located on the North one-half of lots 53 and 54, Block 7 in the Elwood Park Subdivision area.

Upon question as to whether the applicant would be willing to post a bond to repair (to its original condition) any road damaged by the trucks hauling dirt, action was deferred to afford the applicant an opportunity to be present and comment.

MATERIALS AND SERVICES

The Assistant County Administrator submitted recommendations of the Materials and Services Department as outlined in memorandum dated May 27, 1980 from John McCarthy, Assistant Director:

HIGHWAY

- 1) BI 80-44 - Construction and Maintenance Projects 3021-3 (53rd Avenue West from 34th Street to 66th Street) and 3082 (66th Street West from Cortez Road to 53rd Avenue)
 - a. Award to lowest responsible bidder meeting specifications, Wendel Kent & Company, \$508,231.05

Motion was made by Mr. Fortson to award Bid 80-44. Motion was seconded by Mr. Driggers and carried unanimously.

HIGHWAY DEPARTMENT

The Assistant County Administrator submitted a request by the Highway Department to authorize emergency purchase of Prime and Mat with lean mix (Bid 80-42) from the second lowest bidder, Ashland Warren Company (annual bids). The low bidder, General Asphalt Company, cannot furnish the service because of obligation on I-75.

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

BUDGET AMENDMENTS

Upon motion by Mr. Driggers, seconded by Mr. Parrish, resolutions were unanimously adopted to amend the 1979-80 budget to provide for the receipt and appropriation of unanticipated revenues as follows:

HUMAN SERVICES

1) Increase Revenue:
CETA Title IV YCCIP

Increase Expenditure:
YCCIP M/P Services; YCCIP Wages, Workmans
Compensation, YCCIP MCSB MAVTC IV-80-3 \$76,452.00
RECORD RESOLUTION S9-236

2) Increase Revenue:
CETA Title VII PSIP

Increase Expenditure:
Title VII PSIP M/P Services; Title VII
PSIP CRT, Title VII PSIP OJT, University
of South Fla. VII-80-1 \$172,985.00
RECORD RESOLUTION S9-237

3) Increase Revenue:
LEAA Fed. Retaining Older Youth, Boys Club

Increase Expenditure:
Retaining Older Youth Boy's Club
80-JD-18-FF02 \$11,682.00
RECORD RESOLUTION S9-238

Upon motion by Mr. Fortson, seconded by Mr. Driggers, a resolution was unanimously adopted to amend the 1979-80 budget by item to item transfers as follows:

UTILITIES SYSTEM

4) From: Reserve for Contingency

To: Administration: Equipment \$16,955.00
RECORD RESOLUTION S9-239

HUMAN SERVICES

The Assistant County Administrator submitted for approval recommendations of the Human Services Department as outlined in memorandum dated May 27, 1980 from Kathy Snell, Director:

1) Authorize Chairman to sign Certificate of Acceptance of Subgrant Award for the Law Enforcement Assistance Administration project entitled "Big Brothers/Big Sisters Youth Offender Diversionary Program" for period June 1, 1980, through May 31, 1981 (award includes \$5,410 in JJDP funds; matching funds are not required)

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2. Authorize Chairman to execute contract between the County and Big Brothers/Big Sisters of Manatee County, Inc. formalizing the above described grant.

RECORD CONTRACT

S9-240

3. Authorize Chairman to sign a Community Care for the Elderly grant application in the amount of \$167,938 for period between July 1, 1980, to June 30, 1981 (budget includes \$17,600 local matching share). Services to be provided are medical transportation, respite care, homemaker services and home health aide services.

Motion was made by Mr. Fortson to approve the three items as outlined in memorandum dated May 27, 1980. Motion was seconded by Mr. Driggers and carried unanimously.

UTILITIES SYSTEM: INSURANCE CLAIM (RICHARDSON)

In connection with an insurance claim of \$1,297.40 by Mable Richardson for damage done to her home (in the Whitfield area) due to sewage back up from a Utilities System Lift Station, the Assistant County Administrator submitted a letter dated May 22, 1980, from R. A. Wilford, Manatee County Utilities System (MCUS), in which Hartford Insurance Company has offered to pay \$893.73.

Upon motion by Mr. Parrish, seconded by Mr. Driggers, the County Attorney was unanimously authorized to prepare a resolution authorizing settlement of the disputed claim in an amount up to \$1,297.40, less all amounts paid by the insurance company.

POLLUTION CONTROL BOARD: MEMBER

Upon report that the City of Palmetto appointed Arthur Ras as their representative to the Pollution Control Board for the term April 30, 1980 to December 31, 1983, motion was made by Mr. Fortson to approve, ratify and confirm the appointment. Motion was seconded by Mr. Parrish and carried unanimously.

HOUSING PROJECT REVIEW

Motion was made by Mr. Driggers to authorize the Chairman to sign the review letter to the Department of Housing and Urban Development stating that the proposal of Manatee Associates to construct 92 assisted housing units located on 12th Street East, south of Idlewild, (Project FL29-0057-115) is consistent with the numerical goals established in the Housing Assistance Plan.

Motion was seconded by Mr. Parrish and carried unanimously.

INSURANCE CLAIM (LAMBERT)

The Assistant County Administrator submitted a letter dated May 27, 1980, from Jack Zickafoose Financial Services, Inc., (H. K. Peters, Claims Adjuster) regarding

Case No. 77; D/A May 2, 1980
Driver, Douglas Pearman, Highway Department
File No. 279-189; Claimant - Jerri Lambert

recommending that payment in the amount of \$54 be made to Mr. Lambert to cover total property damage claim.

Motion was made by Mr. Parrish to approve payment as recommended. Motion was seconded by Mr. Driggers and carried unanimously.

PARKS AND RECREATION: POLICY (LIFEGUARDS)

In response to erroneous information published in a recent newspaper article in connection with a recent drowning the Assistant County Administrator submitted a memorandum dated May 28, 1980, from John Marble, Director, Parks and Recreation Department, clarifying policies on County lifeguards (on duty all hours 9 to 5, not every other hour as reported); that the drowning was not at Coquina Beach, but occurred at Cortez Beach (North of Coquina), which is not patrolled by County lifeguards.

There were no objections to sending a copy of the memorandum, together with cover letter, to all news media.

TALLEVAST HOMELAND SUBDIVISION: VACATION OF PLAT (80-V-4)

Motion was made by Mr. Driggers to adopt a

80-V-4

RESOLUTION VACATING A PORTION OF THE PLAT OF TALLEVAST HOMELAND SUBDIVISION

described as

Block "A" and Block "B" and that certain 50 foot road right of way lying between said Blocks "A" and "B" and designated as Piney Road, all being part of the plat of TALLEVAST HOMELAND SUBDIVISION, as per plat thereof recorded in Plat Book 2, Page 150, Public Records of Manatee County, Florida; less, however, those portions of Lockwood Ridge Road, Tallevast Road and Linden Lane as would appear in the plat.

All lying and being in Section 28, Township 35 South, Range 18 East, Manatee County Florida.
(Public Hearing 5/22/80)

Motion was seconded by Mr. Parrish and carried unanimously.

RECORD RESOLUTION

S9-241

CITIES TRANSIT, INC

In connection with

Application of Cities Transit, Inc., of Florida for extension of its Certificate No. 889, Docket No. 790531-CCT before the Florida Public Service Commission

to obtain the right to provide bus service from Sarasota North on U.S. 301 to its intersection with SR 64 then west on SR 64 to its intersection with Hwy 789 (Holmes Beach) to the Anna Maria City Pier then South on SR 789 to Lido Beach and then back to Sarasota, the County Attorney recommended the firm of Mann and Fay be authorized to represent the County in these proceedings.

Motion was made by Mr. Driggers that the County Attorney be authorized to represent the County. Motion was seconded by Mr. Parrish and carried unanimously.

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Parrish, seconded by Mr. Fortson, the following Clerk's Consent Calendar dated May 29, 1980, was unanimously approved:

BILLS FOR PAYMENT

Manatee Memorial Hospital (OB Clinic)	\$1,078.44
Sirmans Cleaning Service	42.00
Refund: Roy S. King (Building Permit)	1.50

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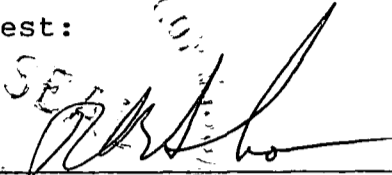
DUPLICATE TAX SALE CERTIFICATE - Chairman authorized to sign:
1) Bonnie Holcomb, Certificate No. 306
2) Frank Cochran, Custodian for Terry Lee Cochran, a minor,
Certificate No. 817

MEETING ADJOURNED

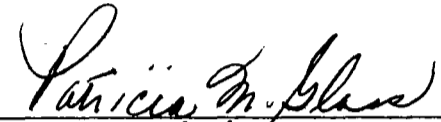
There being no further business, the meeting was declared adjourned.

Attest:

APPROVED:



Clerk



Chairman

Adj: 12:11 p.m.