

JUNE 5, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Thursday, June 5, 1980 at 9:05 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; Mark Todd, Sarasota Herald-Tribune, and others who entered during the meeting.

The meeting was called to order by Chairman Glass.

LEGISLATION: TRANSPORTATION AUTHORITY ACT

The County Administrator recommended the Board take a position on the amendment to the pending Transportation Authority Bill as proposed by Representative Haben. He explained that the amendment would require the Board of County Commissioners to pass a resolution authorizing establishment of the Authority before taking action on appointments, budgeting or other items covered in the bill.

Motion was made by Mr. Fortson to support the amendment by Representative Haben which would give the Board responsibility for initiating the airport authority; to oppose any deadlines for action or any automatic triggering to institute the airport authority; that no additional duties be granted the authority; that the zoning powers and condemnation powers contained in the bill be deleted and that items covered in an earlier letter (May 29, 1980) be subject to amendments of the bill. Motion was seconded by Mr. Driggers. Motion carried unanimously.

RECESS/RECONVENE

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

POMELLO PARK SUBDIVISION

In connection with a question on division of a 10 acre tract in Pomello Park Subdivision into two lots (5/22/80, Richard Keston for SEK, Inc.), the County Attorney advised that, in his opinion, this particular case does not appear to be within the purview of the confines of Ordinance 74-3 and, therefore, the division of the land would not be in violation of that ordinance. Further, in his opinion the ordinance was never intended to apply to this type of tract.

Motion was made by Mr. Driggers that under the interpretation of the County Attorney in addressing 74-3 as it relates to Pomello tracts in eastern Manatee County, the requirements of the ordinance are not being waived; that the ordinance does not apply in this case and the property owner has the right to divide the land in two parcels, thereby allowing him to receive a building permit on the land. Motion was seconded by Mr. Parrish and carried unanimously.

JUNE 5, 1980

Cont'd

SHERIFF'S DEPARTMENT: GRANT APPLICATION (STEP)  
SELECTIVE TRAFFIC ENFORCEMENT PROGRAM

Capt. O'Brien, Sheriff's Department, explained that a program, designed to reduce the number of accidents, accidents with injuries and accidents concerning fatalities within this county could be implemented under a project, Selective Traffic Enforcement Program, (STEP), by increasing the traffic enforcement in the Sheriff's Department. This program can be funded from a grant from the Governor's Highway Safety Commission in the amount of \$74,882.50 with matching share of \$19,010.50 from the applicant. He requested the Board to

1. Approve the Grant;  
 (Authorize the Chairman to sign the grant application to the Bureau of Highway Safety, Department of Community Affairs for funding in the amount of \$74,882.50)
2. Assist in funding at a maximum of \$16,882.00  
 (Assist in the matching share up to a maximum amount of \$16,882.00 for purchase of six vehicles.)

The County Administrator advised that a budget amendment transferring funds from County Reserve for Contingency to the Sheriff's Department would be prepared following approval of the application by the State.

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

MURRY'S MOTORCYCLE SALES

Greg Bryant from Logan and Currin Contractors, requested a waiver of parking requirements from 32 to 14 spaces for Murry's Motorcycle Sales located 1/4 mile north of Whitfield Avenue on US 301. He stated no objections to meeting all landscaping requirements and filing a site plan with Planning and Development Department reserving land for the additional parking spaces.

Upon suggestion by the County Attorney that a resolution be prepared to waive parking requirements on building or construction permit No. 27883; that the site plan be submitted to the Planning and Development Department; and that the waiver be granted only as long as the building is utilized for sale of motorcycles and accessories, motion was made by Mr. McGavic to authorize the County Attorney to draft a resolution as outlined. Motion was seconded by Mr. Driggers and carried unanimously.

H.O.P.E., INC: VETERANS SERVICE BUILDING

Mary Fulford Green, representing the Board of Directors of H.O.P.E. of Manatee, Inc., requested permission to use the building formerly occupied by the Department of Veterans Services (corner of 6th Ave. and 13th St. W) for a downtown office for counseling services. She commented on the urgency in occupying the building as soon as possible and agreed to certain conditions (relating to vacating on short notice, renovation, private utilities, etc.) being placed on an agreement.

Mr. McGavic and Mr. Driggers, who are members of the Board of Directors for H.O.P.E., recommended the request be approved. They stated that they receive no remunerations in connection with their affiliation with this non-profit organization.

Motion was made by Mr. Parrish to authorize the County Attorney to draft the appropriate agreement with H.O.P.E., Inc., to occupy premises of the former Veterans Administration office for a period of 90 days commencing after obtainment of permits from the City of Bradenton, subject to all necessary renovations of the building being the responsibility of H.O.P.E., and subject to vacation of premises within 10 days after notification by mail. Motion was seconded by Mr. Driggers and carried unanimously.

TRANSIT BUS ROUTE

Sal Chiefari, representing residents on north end of Longboat Key, requested an extension of bus service from the scheduled bus stop at Coquina Beach to the Post Office at the north end of Longboat Key (approximately 1-1/8 miles). He offered to advertise the revised route in the newspapers and publish the schedules at the Post Office in order to avoid printing new information.

Phil Davis, Transportation Department Director, advised that the bus route extension would require about 10 minutes to travel the round trip route and would probably not leave enough time to maintain schedules and connections throughout the system.

Mr. Davis was instructed to submit rider statistics of the Longboat Key area and research the possibility of limited service to the north end of the Key for further discussion by the Board.

OLDER AMERICANS ACT: PLANNING AND SERVICE AREA

Neil Anderson, Manatee County Council on Aging, requested the County submit an application (under a provision of the Older Americans Act) to the State Agency, Health and Rehabilitative Services, for a planning and service area for Manatee County in order to provide some autonomy to planning and services for the elderly in the County.

Following advice that action would need to be taken so that the State Agency may reach a decision prior to the beginning of the budget year, October 1, 1981, the County Administrator, together with the Human Services Department, was authorized to follow through on the request.

W. R. GRACE COMPANY APPLICATION: CH2M HILL AGREEMENT

Charles Carrington, Director, and Bob Rile, Planner, Planning and Development Department, submitted a proposed contract with the consulting firm of CH2M Hill, in the amount of \$17,025, for services related to the W. R. Grace Company Application for an Operating Permit for the Four Corners Mine. CH2M Hill also proposes that the firm of Rogers and Associates be approved as a subcontractor to review the radiation aspects of the proposed application.

Because of the emergency nature of this matter in view of the County's obligation to expeditiously review the application and the short time available to select a consultant to aid this effort, Mr. Carrington recommended the Board waive strict compliance with the competitive negotiation act.

Robert Ghiotto, Vice President of CH2M Hill, explained the two phases to review the application:

- Phase One - to review the application for completion within three weeks of execution of contract
- Phase Two - To review application for compliance with the applicable county requirements (approximately 45 days)

Motion was made by Mr. Driggers to declare that the facts and circumstances create an emergency situation because of the time sequences; waive strict compliance with the Professional Competitive Negotiations Act; and authorize the Chairman to sign the contract. Motion was seconded by Mr. Fortson and carried unanimously.

RECORD AGREEMENT

S9-254

WEST BRADENTON POSTAL FACILITY (PROPOSED)

Bruce Hossfield, Planning and Development Department, submitted review comments on a preferred site area for a proposed West Bradenton postal facility which is 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.

JUNE 5, 1980

Cont'd

He submitted a letter for Chairman's signature to be submitted to the Tampa Post Office advising that the board does not object to the site area recommending, however, that

- 1) the facility be located on Manatee Avenue
- 2) the area west of 75th Street not be considered
- 3) preference be given to corner locations having driveway access from a side street or to sites in which unified access and circulation may be provided in conjunction with adjacent shopping centers.

Motion was made by Mr. Driggers to authorize Chairman to sign the letter. Motion was seconded by Mr. Fortson for discussion.

Following discussion that wording should be added to the letter explaining that the Board is in general agreement to the proposed site area but that the proposed facility is subject to rules and regulations of the County Zoning Ordinance, motion and second were withdrawn.

Mr. Hossfield was instructed to incorporate the changes and submit the revised letter to the Board on Tuesday, June 10, 1980.

#### CONTRACTOR'S WORKSHOP

Bruce Hossfield announced that the Contractor's Workshop will be held at the County Central Library on June 18, 1980 at 10:30 a.m. to discuss proposed changes to construction building codes.

#### W. R. GRACE COMPANY PHOSPHATE MINING APPLICATION

Dewey Dye, Jr., Attorney representing W. R. Grace Company, requested acknowledgment that the mining permit application for the Four Corners Mine has been filed and that the 90-day review process has begun.

The Planning Director advised that a determination has not been made on the completeness of the application; that the firm of CH2M Hill will review the application for completeness and a final completeness report will be made available within 30 days.

#### 201 FACILITIES PLAN: UTILITIES SYSTEM

R. A. Wilford, Manatee County Utilities System Director, reported on the status of the 201 Facilities Plan advising that a scope of services has been prepared by CH2M Hill and that a meeting will be held at the DER (Department of Environmental Regulations) district office in Tampa on June 11, 1980 at 10 a.m. with the Environmental Protection Agency for the purpose of requesting an amendment to the existing grant to authorize that this work proceed.

#### MATERIALS AND SERVICES

In an attempt to establish an annual contract for rental of equipment which can be utilized by all County departments and to prepare for any major emergencies, such as a hurricane, Mr. Wilford submitted for approval recommendations of the Materials and Services Department as outlined in memorandum dated May 28, 1980, from John McCarthy, Assistant Director.

#### UTILITIES SYSTEM

- 1) Bid 80-47 Rental Equipment
  - a) Award to lowest responsible bidders meeting specifications, delivery and availability, as follows: American Equipment, Ashland-Warren, C. E. Huffman, Su-Say Land Development, Taylor Rental and Woodruff & Sons

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

LAKE MANATEE UTILITIES SYSTEM: QUATTLEBAUM PROPERTY

Noting that it would be to the advantage of the county to own and control lands around Lake Manatee for future expansion of the Water Treatment Plant and for well fields Mr. Wilford recommended that the County proceed with the purchase of property owned by Mr. M.C. Quattlebaum:

- 1) House and approximately 4.5 acres of land on Lake Manatee at \$191,000 (appraised eight months ago)
- 2) Approximately 10 acres of land adjacent to the Water Treatment Plant at Lake Manatee at \$39,600

Tim Mumford, Right of Way Department, confirmed that Mr. Quattlebaum offered the 10 acres of land at the same price that he was asking on the open market.

Motion was made by Mr. Driggers to authorize the Staff to enter into negotiation for purchase of the property. Motion was seconded by Mr. McGavic and carried unanimously. Mr. Driggers stated that the motion included both parcels.

RUSTY PLUMBING: CHANGE~~R~~ ORDER NO. 3

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

Change Order No. 3 - Rusty Plumbing, Inc.  
 Elevated Storage Tank Part "B", Section I  
 Project 630-761-01  
Decrease the contract by net amount of \$4,802.26

9th STREET EAST RIGHT OF WAY AGREEMENTS

Motion was made by Mr. Driggers and seconded by Mr. Fortson, to approve the following agreements entered into by and between the owners of each parcel and the Right of Way Department for the acquisition of property for 9th Street East.

- |  |                         |        |
|--|-------------------------|--------|
| 1) Howard and Viola Platt,<br>9th Street East; Parcel No. 10.1, \$13,305             | <u>RECORD AGREEMENT</u> | S9-255 |
| 2) Nena Swift<br>9th Street East, Parcel No. 7.1, \$1,441                            | <u>RECORD AGREEMENT</u> | S9-256 |
| 3) Dennis and Linda Hazelbaker<br>9th Street East, Parcel Nos. 30.1-R, 30.2-R, \$213 | <u>RECORD AGREEMENT</u> | S9-257 |

Motion carried unanimously.

RECESS/RECONVENE

The Chairman declared the meeting recessed until 1:30 p.m.

The meeting reconvened at 1:40 p.m. with all members present except Commissioner Parrish.

SETTLEMENT OF DISPUTED CLAIM (RICHARDSON)

The County Attorney submitted and recommended for approval a

RESOLUTION SETTLING DISPUTED CLAIM WITH  
 MABLE RICHARDSON

whereby payment to Ms. Richardson from the appropriate account or fund of the Manatee County Utilities System is authorized in the amount of \$403.67 in cooperation with payment by the Hartford Insurance Company in the amount of \$893.73 for full payment and complete satisfaction of all claims and damages caused by the apartment being inundated by raw sewage.

JUNE 5, 1980

Cont'd

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

RECORD RESOLUTION S9-258

FLORIDA POWER AND LIGHT GRANT OF EASEMENT

Upon motion by Mr. Fortson, seconded by Mr. McGavic, the following Grant of Easement was unanimously approved:

10' x 25' by Manatee County to Florida Power and Light located at Township 35, Range 17 East for construction, operation and maintenance of electric utility facilities was unanimously approved (and exerted).

UTILITY EASEMENT (KIPP)

Upon motion by Mr. Driggers, seconded by Mr. Fortson, an easement for ingress, construction, installation, maintenance and operation of public utility facilities was unanimously accepted from:

William B. Kipp as Trustee:

- 1) 9' wide permanent easement being the west 9 feet of Lots, 1, 2, 3, 4 and 5, Block A, Swan Estates
- 2) 9' wide permanent easement being the west 9 feet of Lots 1, 12, and 24, Palm View Acres

PERSONNEL-CODY AND ASSOCIATES CONTRACT

The County Attorney submitted a Contract by and between the County and Cody & Associates, Inc., whereby the Contractor shall

- 1) Update the Salary Schedule of Manatee County to assure that it is competitive in the labor market
- 2) Formulate a Salary Schedule
- 3) Maintain or establish equitable pay relationships on one class of work to another within the Plan.
- 4) Make certain the Pay Plan reflects current classifications and includes all class titles in use in the various operating departments and offices
- 5) Consider any significant changes made in the labor market and the impact of the new minimum wage.

and whereby the County shall pay the Contractor the total sum of \$3,800 which includes out-of-pocket expenses be submitted in two monthly billings.

(Enter Mr. Parrish)

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

RECORD CONTRACT

S9-259

PUBLIC OFFICIALS LIABILITY INSURANCE

The County Administrator reported that letters have been sent to vendors who provide Public Officials Liability Insurance requesting quotations for coverage to Officials in the County and that as soon as responses are received, information will be submitted to the Board for review.

SEABOARD COASTLINE RAILROAD PROPERTY

In connection with efforts of the City of Bradenton to acquire the former Seaboard Coastline Railroad property, at the foot of 8th Street East, and request that the county develop a boat launching facility, the County Administrator submitted a draft letter to the City for the Chairman's signature expressing a willingness to develop a waterfront park (to include boat launching facilities, small loading dock for fishing reef material, fishing pier and parking area) and noting that funds may possibly be obtained from the State for this project.

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

MATERIALS AND SERVICES

The County Administrator submitted for approval recommendations of the Materials and Services Department as outlined in memorandum dated June 4, 1980, from John McCarthy, Assistant Director.

HIGHWAY DEPARTMENT

- 1) Highway Project 1439 Annual Mowing Contract (Bid 80-50 approved 6/3/80)
  - a. Execute contract with L & B Contractors (Certificate of Insurance issued by Florida Farm Bureau and Contractor's Bond with Moore & Fowinkle)

Motion was made by Mr. Driggers to approve the contract (and authorize the Chairman to sign). Motion was seconded by Mr. Parrish and carried unanimously.

RECORD CONTRACT

S9-260

TRANSIT: CITY OF BRADENTON (BUS STOPS/BENCHES)

The County Administrator recommended the Chairman be authorized to sign two letters to Mayor Evers, City of Bradenton, requesting

- 1) Additional parking spaces for buses: 40' extension on 12th St. W.
- 2) Information regarding the location of benches within Bradenton (which are provided by the Metropolitan Systems, Inc)

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

ELDER BUS SERVICES GRANT

Motion was made by Mr. Driggers and seconded by Mr. McGavic to authorize the Chairman to sign a revised application page (ii) of the Manatee County Elder Bus Service Grant Title III, requested by Tampa Bay Regional Planning Council. (Federal share decreases by \$895, local share by \$717 with a total of \$1,612 under the County's present budget).

Motion carried unanimously.

CLERK'S CONSENT CALENDAR

Upon motion by Mr. McGavic, seconded by Mr. Parrish, the Board unanimously approved the following Clerk's Consent Calendar dated June 5, 1980:

MINUTES: Thursday, April 17, 1980

BILLS FOR PAYMENT:

William Bostic (Settlement Fleet Self Ins) \$325.00

PROPERTY MANAGEMENT - Deletion of Assets:

- 1) Library - stacking chair dollies, Nos. 10664 through 10678
- 2) Pollution Control - Two Beckman Recorders, Nos. 5890, 6004

N & N PROPERTIES RENTAL AGREEMENT (Re: Rent trailer for Utilities System for a minimum of 6 months at \$150 per month) - Chairman authorized to sign

CERTIFICATION TO STATE DIVISION OF MOTOR VEHICLES, TALLAHASSEE (Re: Possession of Vehicle Title No. 10466348) - Chairman authorized to sign.

JUNE 5, 1980

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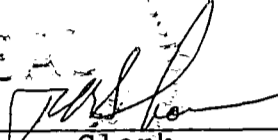
Auction Nov. 28, 1979

Error by auctioneers in assigning vehicles to successful bidder resulted in conveyance of title to David J. Biller instead of Colla Lee Saffor.

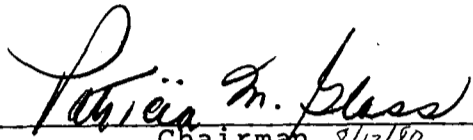
MEETING ADJOURNED

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

Attest:

  
Clerk

APPROVED:

  
Chairman 8/12/80

Adj: 2 p.m.