

JUNE 10, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, June 10, 1980 at 9:02 a.m.

Present were Commissioners:

Patricia M. Glass, Chairman
Lamar S. Parrish, Vice-Chairman (who entered during the meeting)
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.

Invocation by Reverend Dennis Kazar, Christ Episcopal Church.

The meeting was called to order by Chairman Glass.

RAILROAD CROSSING SR 70 IN ONECO

(Enter Mr. Parrish)

Motion was made by Mr. Driggers, seconded by Mr. McGavic, that the Chairman be authorized to write a letter to the Florida Department of Transportation in Bartow requesting the Railroad Crossing on SR 70 in Oneco be repaired to a safe condition. Motion carried unanimously.

MANATEE COUNTY GIRLS CLUB

The Chairman announced that at the annual meeting of the Manatee County Girls Club, the Manatee County Commission was presented with a certificate for outstanding support during the previous year. She also stated that the new Girls Club was dedicated on Sunday, June 8, 1980.

PARKING SPACES FOR HANDICAPPED: ILLEGAL PARKING

The County Attorney reported that the delay on enforcement regarding illegal parking in areas designated for the handicapped was due to the County Ordinance defining the crime as a misdemeanor, which requires law enforcement officers to view the crime in order to issue a violation. He explained that a new State Statute permits a law enforcement officer to make arrest, remove the vehicle, or issue a parking violation, without the individual being in his presence, but it also states that any violation of a County Ordinance is a misdemeanor.

Phyllis Cooley, speaking on behalf of handicapped persons, suggested the Board act quickly on resolving the problem.

Captain David O'Brien, Sheriff's Department, stressed that their main problem is enforcing the law in the private sector, i.e., shopping centers, movie theatres, etc., in that the State law does not permit towing but only permits physically giving the citation to the driver.

Adoption of a separate County ordinance allowing "hang-on" tickets on vehicles not properly identified to use handicapped parking spaces, and designating the form and penalty, was discussed.

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Motion was made by Mr. Fortson, seconded by Mr. Driggers, that the County Attorney's office be authorized to meet with the Sheriff's Department to try to resolve the problems discussed and bring suggestions back to the Board. Motion carried unanimously.

COMPREHENSIVE PLAN: MASS TRANSIT, ELECTRIC UTILITY AND DRAINAGE ELEMENTS

Notice of Public Hearing on Mass Transit, Electric Utility and Drainage Elements (continued from May 20, 1980) had been advertised and Mr. Carrington presented this portion of the Comprehensive Plan for public comment. He submitted a transcript of the May 20, 1980 minutes pertaining to those elements to be entered into the record after editing by the Clerk's office.

No one spoke on the elements, and the public hearing was declared closed.

COMPREHENSIVE PLAN: TRAFFIC CIRCULATION ELEMENT

Mr. Carrington presented for public comment the Traffic Circulation Element with amendments as identified by the Board regarding 9-3 Street Paving Plan. It was the consensus of opinion of the Board that in the last sentence of 9-3 Street Paving Plan, Section A., Local Streets, that the words "In the event that a backlog of paving projects develops" be stricken.

The Chairman declared the public hearing closed.

9TH STREET EAST ADDITION - PETITION

Everett Earl, representing residents of 8th St. Ct. E., between 57th Avenue and 61st Avenue and concerned residents of south County area, submitted a petition in opposition to making 8th St. Ct. E. a high speed extension of 9th St. E., and requesting the County Commissioners to reconsider or eliminate the plans for this project.

Jerome Gotskowski, Highway and Engineering, exhibited maps of the present thoroughfare plan and some of the proposed revisions, stating that 9th St., E., is the only existing possibility at this time between U.S. 301 and U.S. 41 for a thoroughfare from Manatee Avenue to Nicholson Blvd. The only portion that is not in existence at this time is the area between 57th and 63rd. There is construction for approximately 400 feet south of 57th in the proposal. He noted that the Board had authorized acquisition of the right-of-way for this extension in 1977, and had been taken into consideration in development of new subdivisions in the area.

James Rider, Planning and Development, stated there is a definite need for that thoroughfare and the road is in the Capital Improvements Program with high priority. He advised that some revisions have been made to the thoroughfare plan and will be presented to the Board.

WEST BRADENTON POSTAL FACILITY (PROPOSED)

Motion was made by Mr. Parrish, seconded by Mr. Driggers, that the Chairman be authorized to sign a letter to the SC Manager/Postmaster, Tampa, Florida, advising this Board is in general agreement with the preferred site for the proposed West Bradenton Postal Facility, with recommendations:

1. Locate on Manatee Avenue
2. 75th Street area not be considered
3. Corner location with access from side street or site with unified access and circulation in conjunction with shopping centers

Motion carried unanimously.

HURRICANE PREPAREDNESS

Ken McKendree, Emergency Medical Service, and Bill Kuhn, Civil Defense, updated the Board on progress regarding the Hurricane Preparedness Program for Manatee County.

Mr. Kuhn reported that in meetings with the Mayors of county municipalities, they had been assured that previously used operating procedures are still in effect; that knowledge gained in various meetings, exercises, workshops, etc., will be incorporated into the Program; communications have been established with surrounding counties; and county departments are working together to coordinate emergency operations. Regarding Cortez Road, dangerously narrowed due to construction, he advised it would be the Sheriff's responsibility to prohibit two-way traffic in event of an emergency.

He said they are beginning to move the communications center from the EMS section to the Civil Defense office which will allow 24-hour manning of the Emergency Operations center. Upon question, regarding island communities, he stated a warning would be issued to allow sufficient time for evacuation.

Marge Peters, 5312 Bimini Drive, Coral Shores, expressed concern about lack of coordination between the Sheriff's Department, Civil Defense and Emergency Medical Service. She stated she would check with the Civil Defense office regarding the adequacy of the proposed Hurricane preparedness program.

RECESS/RECONVENE

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

TRANSIT BUS ROUTE: LONGBOAT KEY

By memorandum dated June 9, 1980 (presented by Bob Hofman), Phil Davis, Director, Department of Transportation, submitted information on the study of a Cortez bus route extension to Longboat Key and recommended that service not be extended at this time. He urged that "Transit Technical Study" be followed and service be reinstated to Longboat Key in 1982 when additional buses are available.

HUMAN SERVICES

The County Administrator submitted requests of the Human Services Department as outlined in memorandum from Kathy Snell, Director, dated June 3, 1980:

- 1) Approve CETA Title II-D Public Service Employment Occupational Summary:
Delete: (1) Clerk Technical, Pay Grade 09/05, \$3.67/hour
Add: (1) Human Services Interviewer, Pay Grade 13/04, \$3.95/hour
- 2) Approve modification of STIP extending completion date of program from June 30, 1980 to September 30, 1980 to provide adequate time for participants to complete training period at Manatee Area Vocational Technical Center. Total funds available (\$317,390) remain unchanged.
- 3) Authorize Chairman to execute Memorandum of Understanding with U.S. Department of Labor to formalize audit responsibility of Prime Sponsor and its subrecipients for Fiscal Year 1978/79.

Motion was made by Mr. Driggers that the requests be approved. Motion was seconded by Mr. McGavic and carried unanimously.

MATERIALS AND SERVICES

The County Administrator submitted requests of the Materials and Services Department as outlined in memoranda from John F. McCarthy, Assistant Director, dated May 29, June 4, and June 6, 1980:

- 1) Obtain Board authorization to schedule oral presentations from five selected firms as Hospital Consultants - RFP 80-60:
 - a. Cresap, McCormick & Pagent, Inc.
 - b. Peat, Marwick, Mitchell & Co.
 - c. Herman Smith Associates
 - d. John G. Steinele & Associates
 - e. TriBrook Group, Inc.

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

UTILITIES

- 2) SP 80-005 - Relocate One Metal Building
 a. Reject all bids due to unanticipated high cost and rebid project.

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

TRANSPORTATION/HUMAN SERVICES

- 3) Bid No. 80-49 - Vans for Handicap Use
 a. Award to lowest responsible bidder, Handi-Trans, Inc., unit price of \$15,319; total price \$45,957 for three vans.

Motion was made by Mr. McGavic to award to lowest responsible bidder (Handi-Trans, Inc.). Motion was seconded by Mr. Driggers and carried unanimously.

UTILITIES

- 4) CRT Equipment (3) - Purchase agreement
 a. Authorize Chairman to execute 60-month Lease Purchase Agreement with NCR Corporation for three CRT's

Motion was made by Mr. Driggers to enter into agreement with NCR Corporation for the CRT equipment. Motion was seconded by Mr. Fortson and carried unanimously.

RECORD AGREEMENT S9-261

The County Administrator explained the purchase was approved May 20, 1980 but it was not specified that it was a five-year contract and he requested that the minutes of May 20, 1980 reflect that correction.

Motion was made by Mr. Fortson to let the records reflect that on May 20, 1980, the Board meant to specify this is a five-year contract. Motion was seconded by Mr. Parrish and carried unanimously.

HIGHWAY

- 5) Bid No. 80-44 - Projects 3021-3 and 3082 - Construction & Maintenance
 a. Authorize Chairman to execute contract with Wendel Kent & Company for construction and maintenance of 53rd Ave. W., from 34th St. to 66th St., and 66th St., W. from Cortez Rd. to 53rd Ave., W.

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

RECORD CONTRACT S9-262

BUDGET AMENDMENTS

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

FROM VARIOUS SOURCESIncrease Revenue

Contributions (Veterans Legislative)

Increase Expenditure

Veterans Service

\$ 626.00

RECORD RESOLUTION S9-263

Upon motion by Mr. Fortson, seconded by Mr. Parrish, resolution was unanimously adopted amending the 1979-1980 budget by Item to Item transfers:

From: Reserve for Contingency
 To: Clerk of Circuit Court \$ 3,800.00
RECORD RESOLUTION S9-264

Upon motion by Mr. Driggers, seconded by Mr. McGavic, resolutions were unanimously adopted amending the 1979-1980 budget providing for receipt and appropriation of unanticipated revenues:

FROM STATE OF FLORIDA
Increase Revenue
 LEAA Juvenile Justice Planning Unit JF-79-18-8001
 (JJDP)

Increase Expenditure
 Juvenile Justice Planning Unit JF-79-18-8001 (JJDP) \$ 6,396.00
RECORD RESOLUTION S9-265

FROM STATE OF FLORIDA
Increase Revenue
 GHSC Novice Motorcyclist Education 80-03-03-E-314-06

Increase Expenditure
 GHSC Novice Motorcyclist Education 80-03-03-E-314-06 \$ 9,108.00
RECORD RESOLUTION S9-266

Motion was made by Mr. Driggers to adopt a resolution amending the 1979-1980 budget providing for receipt and appropriation of unanticipated revenues:

FROM STATE OF FLORIDA
Increase Revenue
 LEAA Organized Crime Intelligence (Sheriff)
 CF-80-18-2701
 State Organized Crime Intelligence (Sheriff) (LEAA)

Increase Expenditure
 Organized Crime Intelligence (Sheriff)
 OF-80-18-2701 (LEAA) \$30,365.00
RECORD RESOLUTION S9-267

and authorize the Chairman to sign Certification of Acceptance of Subgrant Award in the amount of \$21,612.00 for Organized Crime Intelligence project (State match \$1,201.00; local match \$1,200.00). Motion was seconded by Mr. McGavic and carried unanimously.

JUVENILE JUSTICE PLANNING GRANT AWARD

Motion was made by Mr. Driggers that the Chairman be authorized to sign the Certification of acceptance of Subgrant Award in the amount of \$3,298.00 for Manatee County Juvenile Justice Planning project. Motion was seconded by Mr. McGavic and carried unanimously.

MATERIALS AND SERVICES

The County Administrator submitted recommendation of Gary M. Knuckles, Director, Materials & Services as outlined in his memorandum dated June 10, 1980:

TRANSPORTATION

- 1) 1980 6-Passenger Malibu Station Wagon
 - a. Authorize Chairman to Execute 24-Month Lease Purchase Agreement from Enterprise Leasing Corporation, \$259.91 per month

Upon motion by Mr. Driggers, seconded by Mr. Parrish, the Chairman was unanimously authorized to execute Lease Purchase Agreement from Enterprise Leasing Corporation.

RECORD LEASE

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AUTOMOBILE FLEET SELF-INSURANCE PROGRAM SERVICE AGREEMENT

Mr. McGavic moved to approve (and authorize execution of)

SUPPLEMENT TO MANATEE COUNTY AUTOMOBILE FLEET
SELF-INSURANCE PROGRAM SERVICE AGREEMENT

between Manatee County and Employers Group Insurance, Inc., amending and supplementing agreement dated October 24, 1978 and Amendment dated December 27, 1979.

Motion was seconded by Mr. Driggers and carried unanimously.

RECORD AGREEMENT

S9-269

WORKER'S COMPENSATION AMENDMENTS TO SERVICE AGREEMENT

Mr. McGavic moved to approve (and authorize execution of)

AMENDMENTS TO WORKER'S COMPENSATION SERVICE AGREEMENT

between Manatee County and Employers Group Insurance, Inc., amending or modifying Workmen's Compensation Service Agreement dated August 24, 1976 and Supplemental Workmen's Compensation Agreement dated May 24, 1977.

Motion was seconded by Mr. Driggers and carried unanimously.

RECORD AMENDMENTS

S9-270

MANATEE MEMORIAL HOSPITAL - DOCUMENTS ACCEPTED

Upon motion by Mr. Parrish, seconded by Mr. Driggers, the following Manatee Memorial Hospital documents were unanimously accepted into the record:

Minutes - Board of Trustees - April 28, 1980
Minutes - The Emergency Care Center Committee - April 23, 1980
Minutes - The Radiology Committee - April 23, 1980
Minutes - Purchase and Supplies Committee - April 23, 1980
Minutes - The Medical Staff Committee - April 23, 1980
Minutes - The Finance Committee - April 23, 1980
Minutes - The Executive Committee - April 23, 1980
Financial Statements for month of April 30, 1980

5TH STREET WEST: BIKE PATH/SIDEWALK

Harry S. Ely, Jr., Director, Highway & Engineering, reported he had received a request from Floridana Homeowners, Inc., (represented by "Peddle Pushers") for a sidewalk improvement from the culvert south of Cortez Road on east side of 5th Street West to 52nd Avenue West for a bicycle type pedestrian way. He explained they have collected funds to pay for the concrete with the County providing the labor. Estimated cost would be \$13,350.00 for 300 cu. yds. of concrete (to be paid by "Peddle Pushers") and \$14,500.00 for labor. Mr. Ely pointed out that the proposal and estimate are for a five-foot walk but the bike path program specifies eight feet.

Mrs. Seacodt, Casa Loma Mobilehome Park, of "Peddle Pushers Project" reported they have collected \$10,179.47 to date and requested assurance that the sidewalk will remain with bike-path status and will not be converted to sidewalk status in the future.

Bob Fernandez verified that Mrs. Seacodt has been informed, and has made it a point with all people with whom she has dealt, that there has been no commitment on the part of the County Commissioners and the funds collected were based only if the County elects to proceed with the project.

Paul Jaworski, 37th Street East, stated he felt a bike path was needed; however, priority should be given to expending \$14,500 to put a "mix-in-place" road on 37th Street East.

No action was taken to afford the Board an opportunity to make further investigation

HEALTH DEPARTMENT RENOVATIONS/BUDGET AMENDMENTS

Dick Shewmaker, Health Department, submitted a new use plan for requested renovations to allow space previously used by Purchasing to be utilized for Health Department purposes. The current proposal cuts plumbing and electrical costs and the revised estimate is now \$6,764.84 plus \$2,000.00 improvements requested for the lobby area.

He explained that the capabilities would be additional space for the WIC program, an additional treatment room, a small private office for the VD investigator, the addition of one person in Vital Statistics area and allow a spot for the phosphate monitor; however, it will not provide for future growth.

In response to comments regarding health screening actions being located at Memorial Hospital, the County Administrator said he would prepare a letter (for signature by the Chairman) requesting the Board of Trustees to cooperate in helping to locate space for the Health Department and, further, to consider their need in any capital improvement programs.

Motion was made by Mr. Parrish to grant the request and adopt a resolution amending the 1979-1980 budget to provide for the receipt and appropriation of unanticipated revenues for the renovations:

VARIOUS SOURCES

Increase Revenue

Transfer from General Fund

Increase Expenditure

Health Department Renovation

\$8,765.00

RECORD RESOLUTION S9-271

and by item to item transfers:

From: Reserve for Contingency
To: Transfer to Capital Projects
(Health Dept. Renovations)

\$8,765.00

RECORD RESOLUTION S9-272

ORDINANCE: ANIMAL CONTROL

Motion was made by Mr. McGavic to authorize staff to advertise for a public hearing on the Animal Control Ordinance. Motion was seconded by Mr. Parrish with recommendations that, in the interim, the Board schedule a work session to discuss the Ordinance.

Following comments regarding the necessity of readvertising the public hearing if substantial changes are made to the Ordinance, motion and second were withdrawn. (Action to be reinitiated after work session.)

The County Administrator was requested to prepare a financial statement to determine financial impact this Ordinance may have on the County.

EMERGENCY MEDICAL SERVICES: RATE STRUCTURE CHANGES

By memorandum dated March 27, 1980 (to the County Administrator) Ken McKendree, Director Emergency Services, requested approval of change in rate structures by adding charges (in addition to present rates), to meet the cost of medication for Advanced Life Support. Mr. Collier recommended approval.

Mr. McGavic moved to approve the request to charge for medication when A.L.S. measures are necessary:

- 1. Lidocaine 100 MG Pre-Load \$2.15 each
- 2. Lidocaine 1 MG Pre-Load 5.00 each
- 3. Sodium BiCarb Pre-Load 4.30 each
- 4. Lactated Ringers 1000 ML 4.50 each

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5.	Sodium Chloride	500 ML	3.35 each
6.	Dexamethosone	40 ML	6.50 each
7.	Bretylol	AMP	15.00 each
8.	Hyperstat	Pre-Load	11.95 each

Motion was seconded by Mr. Parrish and carried unanimously.

PARKS AND RECREATION: REQUEST FOR PLANT MATERIAL

The County Administrator reported on the requests for trees and shrubs, deferred from June 3, 1980:

- 1) City of Bradenton would include delivery and planting of trees and shrubs at the site with the understanding they would maintain this after planting;
- 2) National Development Corporation--the Subivision Ordinance did not apply to the plantings with the exception that no plants which will obstruct visibility are to be planted within 25 feet of a corner of a lot or triangular-shaped lot.

Motion was made by Mr. Fortson to approve the request by the City of Bradenton and defer action on request from National Development Corporation of Florida until a policy is developed regarding the use of nursery materials. Motion was seconded by Mr. Parrish and carried unanimously.

Mr. Driggers moved to instruct staff to prepare necessary documents for all plant material which will be moved from the County plant nursery to anyone requesting same. Motion was seconded by Mr. Parrish and carried unanimously.

TRAVEL AUTHORIZATION: COUNTY ADMINISTRATOR

Motion was made by Mr. Driggers, seconded by Mr. Fortson, that the County Administrator be authorized to travel to Washington, D.C. to attend ICMA's Small Cities/Volunteer Fire Service Project from 6/25/80 through 6/30/80. Motion carried unanimously.

MARKER 50 CONDOMINIUM

The County Administrator reported he would be meeting with the County Attorney in the afternoon, and later with the staff, to coordinate a response to the Board on the status of the Marker 50 Condominium.

PISTOL LICENSING PROCEDURE: RENEWAL FORMS

Mr. Driggers moved to approve

RESOLUTION ADOPTING FORMS FOR THE PISTOL
LICENSING PROCEDURE

identified as: (1) Application to the Board For The Renewal of A License To Carry A Pistol Under The Purview of Section 790.06 of the Florida Statutes and Ordinance No. 77-7 of Manatee County, Florida, and (2) Resolution Renewing License To carry a Certain pistol, (where the holder of an existing license requests renewal for an additional period of two years).

Motion was seconded by Mr. McGavic and carried unanimously.

RECORD RESOLUTION S9-273

LAWSUIT: FAIR LANE ACRES PROPERTY OWNERS ASSOC. VS. FAIR LANE UTILITIES, INC. AND THE COUNTY OF MANATEE

Motion was made by Mr. Driggers, seconded by Mr. McGavic, that the County Attorney be authorized to represent the County in litigation regarding Fair Lane Acres Property Owners Association, Inc., and others, vs. Fair Lane Utilities, Inc. and the County of Manatee Florida, Case No. CA-80-600. Motion carried unanimously.

LAWSUIT: LONG CREEK SUBDIVISION 80-S-6(P)

Motion was made by Mr. Fortson, seconded by Mr. McGavic, that the County Attorney be authorized to represent the County, The Board of County Commissioners and each individual Commissioner (as outlined in Mr. Fay's letter dated June 9, 1980) in litigation regarding Preliminary Plat (80-S-6-P) for Long Creek Subdivision by Small Farms Development and others. Motion carried unanimously.

CLERK'S CONSENT CALENDAR

Mr. Parrish moved to approve the Clerk's Consent Calendar dated June 10, 1980 with the deletion of Rusty Plumbing (at request of the Clerk's office):

BOND

<u>Accept</u>	Driveway Bond, Burger King, Permit No. 23636, \$350.00
<u>Release</u>	Driveway Bond, George Moore, Permit No. 7148, \$350.00

BILLS FOR PAYMENT

Whitcomb & Christopher (Balance, Financial Statements Services - Utilities)	\$4,260.00
Whitcomb & Christopher (Balance, Financial Statements Services - BCC)	5,364.00
Mary T. Baber (Court Reporter - Boothe)	38.82
Manatee Memorial Hospital (OB Clinic)	4,134.02
Manatee Memorial Hospital (Welfare)	8,447.78
Dr. Lehman & Associates (May 1980)	4,089.37

DELETED:

Rusty Plumbing (Est. #10 Project 630-761-01)	10,328.79
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AUTHORIZE CHAIRMAN TO SIGN

Duplicate Tax Sale Certificate No. 377; Floyd W. & Betty Jo Reese

Motion was seconded by Mr. McGavic and carried unanimously.

37TH STREET EAST PAVING

Request by Mr. Driggers that the Board discuss a method of paving 37th Street East was deferred until June 12, 1980.

MEETING ADJOURNED

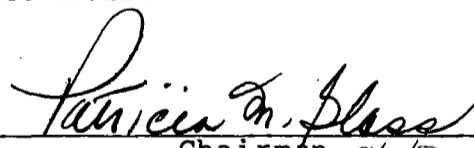
There being no further business, the meeting was declared adjourned.

Attest:

APPROVED:



 Clerk



 Chairman 8/12/80

Adj: 12:12 p.m.