

JUNE 17, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, June 17, 1980, at 9:03 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:

Alan Prather, Associate County Attorney  
David B. Collier, County Administrator  
R. B. Shore, Clerk of Circuit Court

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

Invocation by Rev. James Pike, General Baptist Church

The meeting was called to order by Chairman Glass.

LEGISLATION: TRANSPORTATION AUTHORITY BILL

Action on the recently enacted Transportation Authority Bill was deferred until the following week, pending review by Board members.

TRANSIT: BUS SERVICE

The Chairman submitted a petition requesting bus service between Hawaiian Village, Plantation Village, Bayshore Windmill Village, Cortez Plaza and Desoto Square Mall from residents in the three mobilehome parks and advised that Phil Davis, Director, Transportation Department, will be notified of request.

INDUSTRIAL DEVELOPMENT REVENUE BONDS: GEORGE J. BALL, INC

John Guenther, Treasurer of George J. Ball, Inc., submitted financial data and project information in connection with the proposed George J. Ball, Inc., \$2,000,000 Industrial Development Revenue Bond Issue (Series 1980), including

- 1) Report called "Geo. J. Ball, Inc. Project, Manatee County, Florida, Industrial Development Revenue Bonds, Series 1980"
- 2) Geo. J. Ball, Inc., and Subsidiaries Consolidated Statements of Income and Condensed Consolidated Balance Sheets
- 3) Consolidated Financial Statements as of June 30, 1979 and 1978, together with Auditor's Report
- 4) Proposal for Inducement Resolution with Memorandum of Agreement
- 5) Catalog "Ball '81"
- 6) Catalog "Pan-American Plant Company"

Bob Danielson, Vice-President of Production, Pan-American Plant Company (a wholly owned subsidiary of George J. Ball, Inc), explained the proposed plan of the Company if the bond issue is approved.

Mr. Guenther requested that services for bond counsel be provided by the firm of Borge and Pitt and he submitted a letter describing their qualifications.

Since the Board has not had an opportunity to review the financial statements and audit report of the Company, execution of the documents was deferred until Thursday, June 19, 1980.

Motion was made by Mr. Fortson to approve the concept of the bond issue. Motion was seconded by Mr. Driggers and carried unanimously.

Motion was made by Mr. Parrish that the County's bond counsel, Mudge, Rose, Guthrie and Alexander, be used to protect the interests of the County. Motion was seconded by Mr. Driggers and carried unanimously.

SAFETY COUNCIL RECOMMENDATIONS

Charlie Webber submitted recommendations of the Manatee County Traffic Safety Council as follows:

- 1) Intersection of 9th St. E. and 63rd Ave. E. - Request to relocate the existing crosswalk on 63rd Ave. E., so that it will line up with the new sidewalk on the east side of 9th St. E.  
Recommendation: Favorable
- 2) West Country Club Drive North in Palm-Aire Subdivision - Request to install two additional 25 mph speed limit signs.  
Recommendation: Favorable, provided Palm-Aire Condominium Association pays for the signs. Cost of two signs installed is \$131.30

Since Palm-Aire Condominium Association considered the cost of the signs to be unreasonable the Highway and Engineering Director was instructed to research the breakdown on cost and installation and advise the Association through Mr. Blackwell.

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

PLANNING ITEMS: FORMAT OF MEETING

Board members offered no objections to the procedure recommended by the Chairman for hearing items from the Planning Department, as follows:

- = Cards to be filled out by persons wishing to speak on specific items
- = Synopsis of Planning Commission meeting to be submitted for review by the Board prior to meeting
- = A blanket motion to be made on items that are routine and need no discussion
- = Abbreviated agenda marking items that are approved or denied to be posted on Board Room door for public information.

Jim Bartels and Paul Jaworoski spoke in opposition to the procedure.

RECESS/RECONVENE

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

MANATEE COUNTY ZONING ORDINANCE DRAFT AND MAPS OF LAND USE PLAN

In compliance with the enabling Act and Section 30-21 of the Manatee County Code and as recommended by the Planning Commission, the Planning Director advised that the Planning and Development Department (by memorandum dated June 6, 1980) transmitted the draft Manatee County Zoning Ordinance text to the Board. He submitted the maps of the Land Use Plan and requested that 1) the Board accept the text for tentative review and 2) he be appointed as custodian of the maps.

He explained that the purpose of the tentative report procedure is to give the Board an opportunity to study the document while its pending before the Planning Commission and to offer any suggestions or recommendations to the Planning Commission.

Motion was made by Mr. Driggers that the draft zoning ordinance and the maps showing the Land Use Plan be accepted into the record; that the maps be held in custody of the Planning Department until such time as the Board formally

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approves them; and that when the final document is adopted by the Board, the tentative report will no longer be part of the record. Motion was seconded by Mr. Parrish.

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

The County Attorney advised that once a document is submitted to the Board it becomes public record and must be kept as such.

#### 37TH STREET EAST: PAVING

The County Attorney outlined legalities involved regarding alternatives the Board may consider on closing 37th Street East to through traffic, such as constructing a double cul de sac in the middle of the street or vacating the street to the adjoining property owners.

Paul Jaworoski spoke concerning the request to pave the street.

There were no objections to considering this matter during a work session that afternoon.

#### STATE ASSOCIATION OF COUNTY COMMISSIONERS

Gary Knuckles, Lobbyist for the County, reported on the State Association of County Commissioners meeting held the previous week and outlined items discussed, which included

- = Regional Planning Council Bill (Passed)
- = District Mental Health Board
- = Group Home Zoning
- = 40 Year Bonds on Transportation
- = Sovereign Immunity Bill (Passed)
- = Dual Taxation Bill
- = Hazardous Waste Bill
- = DRI Process
- = County Health Bill
- = Gas Tax
- = Sales Tax Exemptions
- = 9th Cent Gas Tax
- = Article V Bills (Regarding Court) (Did not pass)
- = Annexation Bills
- = TRIM Bill
- = Transportation Authority Bill

#### UTILITIES SYSTEM: REBATES

Motion was made by Mr. McGavic and seconded by Mr. Driggers to adopt

#### RESOLUTION APPROVING, RATIFYING AND CONFIRMING CERTAIN REBATES

to be made by Manatee County Utilities System to

- 1) C. M. Rowlett, Inc. and Garden Homes -  
Re: West Woods Subdivision; \$13,605.25 for  
water distribution system and \$35,447.50 for sewer  
collection system
- 2) Manatee Builders, Inc. - Re: Lake Park Subdivision,  
Units 1, 2, 3, 4; \$6,000 for water service improvements
- 3) Sandman Mobile Park, Inc. - Re: Sandman Mobile  
Home Park; \$25,000 for water service improvements

Motion carried unanimously.

RECORD RESOLUTION

S9-276

#### RECHARGE/RECOVERY AT LAKE MANATEE

The County Administrator submitted a Letter of Intent expressing an understanding between the Manasota Basin Board of the Southwest Florida Water Management District and the

Board of County Commissioners to jointly participate in the evaluation, design and construction of certain water supply facilities which will result in a Recharge/Recovery Water Supply System at Lake Manatee. The project will be broken down into four phases: 1) Hydrogeologic Investigation; 2) Recharge/Recovery Testing; 3) Design Facility; 4) Construct Facility.

Motion was made by Mr. McGavic to sign the letter of intent. Motion was seconded by Mr. Parrish and carried unanimously.

RECORD

S9-277

HUMAN SERVICES

By memorandum dated June 10, 1980, Kathy Snell, Director of Human Services Department, requested approval of two items:

- 1) (Deleted from Agenda at request of Human Services Dept.)
- 2) Authorize the Chairman to sign a revised grant application for the Manatee County Community Care for the Elderly Project which includes a new grant period from May 19, 1980 to June 30, 1980, a higher in-kind contribution of case management services, and a reallocation of funds among the core services. This revision provides \$8,092 for Homemaker Services, \$5,662 for Respite Care Services, \$2,430 for Home Health Aide Services and \$2,216 for Medical Transportation Services.

Motion was made by Mr. Fortson to approve the item (2) as requested. Motion was seconded by Mr. Driggers and carried unanimously.

Skills Training Improvement Program

Motion was made by Mr. Parrish to reauthorize the Chairman to sign

Modification of the Skills Training Improvement Program (STIP) extending the program to September 30, 1980 (Approved 6/10/80 but documents were not submitted)

Motion was seconded by Mr. Driggers and carried unanimously.

CETA Agency Participation Agreements

Motion was made by Mr. Fortson to reauthorize Chairman to sign

CETA Agency Participation Agreements with the following four agencies:

- a. H.O.P.E. of Manatee, Inc.
  - b. Big Brothers/Big Sisters, Inc.
  - c. Youth Guidance Division of Manatee County Youth for Christ
  - d. Bradenton Youth Outreach, Inc.
- (Approved 3/4/80 but documents were not submitted)

Motion was seconded by Mr. Driggers and carried unanimously.

RECORD AGREEMENTS

CETA/

COMPREHENSIVE PLAN OF MANATEE COUNTY

Gloria Rains, representing Manasota 88, and Mary Blackburn Church, 5704 Hwy 64 East, urged the Commission to establish a schedule which would permit early adoption of the County Comprehensive Plan and to expedite adoption of the County Mining Ordinance.

RECESS/RECONVENE

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

The Board reconvened at 1:38 p.m. with all members present.

MATERIALS AND SERVICES

By memoranda dated May 29, 1980 and June 11, 1980, the Materials and Services Department requested approval of

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UTILITIES SYSTEM

- 1) Bid 80-33 - Highway and Railroad Boring - Annual Bid  
 a. Award to the lowest responsible bidder meeting specifications, Southeastern Road Boring

Motion was made by Mr. Driggers that award of Bid 80-33 be approved. Motion was seconded by Mr. Parrish and carried unanimously.

PARKS AND RECREATION

- 1) Authorize purchase of one Toro Parkmaster Turf Tractor including seven cutting units and seven pairs of 16" tires at a total cost under GSA Contract from Zaun Equipment of \$18,102.

Motion was made by Mr. Parrish to authorize the purchase as recommended. Motion was seconded by Mr. Driggers and carried unanimously.

BUDGET AMENDMENTS

Upon motion by Mr. Driggers, seconded by Mr. Parrish, resolutions were unanimously adopted to amend the 1979-80 budget by item to item transfer as follows:

HISTORICAL COMMISSION

- 1) From: Reserve for Contingency

To: Transfer to Historical Commission \$1,919.00  
RECORD RESOLUTION S9-278

and to provide for the receipt and appropriation of unanticipated revenues:

- 2) Increase Revenue: Transfer from General Fund

Increase Expenditure: Historical Commission:  
 Equipment Maintenance, Telephone, Utilities \$1,919.00  
RECORD RESOLUTION S9-279

Upon motion by Mr. Fortson, seconded by Mr. Driggers, resolutions were unanimously adopted to amend the 1979-80 budget by item to item transfer as follows:

UTILITIES SYSTEM

- 1) From: Reserve for Contingency

To: Transfer to Surplus Construction: Transfers \$43,975.00  
RECORD RESOLUTION S9-280

and to provide for receipt and appropriation of unanticipated revenues:

- 2) Increase Revenue: Transfer from Surplus

Increase Expenditure: Coquina Beach Sewer Service \$43,975.00  
RECORD RESOLUTION S9-281

PARKS AND RECREATION: WQXM BEACH PARTY

By letter dated May 30, 1980, Radio Station WQXM requested permission to hold a beach party Sunday, June 29, 1980 from 12 p.m. to 5 p.m. on Coquina Beach, stating they are willing to post a security bond of \$2,500 and provide a security team of four men; also, to hire a maintenance crew to clean up after the event. The County Administrator recommended that the request be denied because of possible liability on the part of the County.

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

DEFERRED COMPENSATION PROGRAM

The County Administrator submitted a questionnaire for the purpose of reviewing specifications of various programs for a deferred compensation program for the employees of the County and recommended that he be authorized to proceed with requests for proposals, using the questionnaire as a basis.

Motion was made by Mr. Driggers to authorize the County Administrator to send the questionnaire to firms offering this service. Motion was seconded by Mr. Fortson and carried unanimously.

PHOSPHATE MINING COORDINATOR

The County Administrator submitted a revised draft job description for a proposed Phosphate Mining Coordinator which involves the monitoring of phosphate mining operations and related environmental issues and would require education in the field of Mining, Civil Engineering, Geological Engineering or Environmental Sciences. He recommended that the salary range of \$19,073 to \$28,849 be advertised at the upper level.

Motion was made by Mr. Fortson to authorize the County Administrator to advertise for the position with the expanded job specifications as outlined, at the upper range limits of the salary schedule and, if necessary in order to get a qualified person, that he come back to the Board for further expansion. Motion was seconded by Mr. Driggers and carried unanimously.

HOUSING PROJECT REVIEW: SYLVAN OAKS, II

Motion was made by Mr. Fortson, seconded by Mr. Driggers, that the Chairman be authorized to sign the Housing Project Review Letter to the Department of Housing and Urban Development in connection with proposal of Sylvan Oaks Development Corporation (Application FL29-0057-104) to construct 50 units of assisted rental housing for the elderly on Memphis Road between US 41 and Canal Road. Motion carried unanimously.

SOLID WASTE TECHNICAL ADVISORY COMMITTEEDEPARTMENT OF ENVIRONMENTAL REGULATION - EXTENSION

Pursuant to the requirements of Chapter 17-7, F.A.C. and upon recommendation outlined in memorandum dated June 12, 1980, from Larry Rhodes, Chairman, Solid Waste Technical Advisory Committee, motion was made by Mr. Driggers to authorize the Chairman to sign a letter to the Department of Environmental Regulation requesting an extension of six months from the July 1, 1980, deadline for purposes of completing all planning requirements for the County's Resource Recovery Management Plan. Motion was seconded by Mr. Parrish and carried unanimously.

GATES CREEK: CERTIFICATE OF OWNERSHIP

In order to comply with the request from the Department of Environmental Regulation for the proposed sheet pile construction at Gates Creek, motion was made by Mr. Driggers to authorize the Chairman to sign the Affidavit of Ownership or Control regarding property located at Section 20, Township 34, South, Range 19 East. Motion was seconded by Mr. McGavic and carried unanimously.

WORKER'S COMPENSATION COVERAGE (SALKILL)

H. K. Peters, Claims Adjuster, Employer's Group Insurance, Inc., requested, by letter dated June 4, 1980, that the office of Mann and Fay provide legal research to determine if Ronnie Allen Salkill (a Sheriff's Volunteer Posseman, who was injured while using a motor cycle owned by the Sheriff's Department) meets the requirements of a county employee entitled to Worker's Compensation Coverage.

Motion was made by Mr. Driggers that the request be approved. Motion was seconded by Mr. Parrish and carried unanimously.

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PERSONNEL: PARKS AND RECREATION

The County Administrator advised that of the six applicants interviewed for the position of Recreation Administrative Coordinator, only one applicant met the combination of education and experience requirements necessary to perform the work. He further advised that the salary range for the position is \$13,000 to \$19,000 but that the Parks and Recreation Director requested the applicant be hired at \$17,000 which would require waiving the 15 percent (over base) salary limitation.

He noted for the record that the gentlemen in consideration worked in the same County in Maryland where he worked; that he did not know his background and that he did not play any role in the selection process.

Motion was made by Mr. Driggers to waive the 15 percent salary limitation in the personnel regulations and to hire the applicant at \$17,000. Motion was seconded by Mr. McGavic. Voting "Aye" were Commissioners Driggers, McGavic, Parrish and Chairman Glass. Voting "No" was Commissioner Fortson. Motion carried.

MURRAY'S MOTORCYCLE SALES

Motion was made by Mr. Driggers, seconded by Mr. McGavic, to adopt a

RESOLUTION WAIVING CERTAIN OFF-STREET PARKING  
REQUIREMENTS FOR MURRAY'S MOTORCYCLE SALES  
LOCATED AT 6709 15TH STREET EAST, BRADENTON

to the extent that off-street parking requirements are limited to spaces for fourteen vehicles, subject to condition that this waiver shall exist only as long as the improvements on the property are used for facilities for the sale and service of motorcycles, parts and accessories, and on condition that landscaping has been installed pursuant to a Site Plan acceptable to the Planning and Development Department. Motion carried unanimously.

RECORD RESOLUTION S9-282

LAWSUIT: PIERCE/DILALLA

Motion was made by Mr. Driggers to authorize the office of Mann and Fay to represent the County in litigation in connection with the lawsuit

Re: Duane Pierce vs. Robert A. DiLalla and others including the County, Case No. CA 79-1872 in the Circuit Court of Manatee County, Florida

which involves the foreclosure of mortgages and the collection of certain debts involving real property in Fairmont Park Subdivision, and the possible lien against the property by virtue of judgment in favor of the County in the amount of \$2,500 for fees incurred by the office of the Public Defender. Motion was seconded by Mr. McGavic and carried unanimously.

CONSENT CALENDAR

Upon motion by Mr. McGavic, seconded by Mr. Driggers, the following Consent Calendar dated June 17, 1980 was unanimously approved:

BONDS:

Sheriff's Public Employee's Blanket Bond, Auto Owners Insurance Company - Bond No. 767012-20210325:

Additions:

Howard R. Gilmore	Correctional Officer
George O. Robinson, Jr.	" "
Judith A. Williamson	School Crossing Guard
Kent C. Knisley	Special Deputy
Jeffrey G. Whittaker	" "
Carl A. Thomas	Property & Evidence
Diane L. Veit	Operations Support
Michael B. Warren	" "
Deniece E. Martin	" "
Betty Lou Herrick	" "
Herbert Hatton	" "

Dallas Grover III	Posse
Richard I. Tatum	"
Kevin D. Mouser	"
Sharon Carberry	"
Martyne C. Berry	Personnel Clerk

Deletions:

Barbara Reinhardt	School Crossing Guard
Michael M. Kalaman	Booking Clerk
Edward A. Bringman, Jr.	Posse'
Cynthia L. Saunders	Correctional Officer
Sandra L. Alderton	Secretary
Rita S. Foskey	OJT - PT

BILLS FOR PAYMENT

Felicia Karczewski (Settlement Fleet Insurance)	\$	76.90
Woodruff & Sons, Inc:		
Gateway East Sanitary Sewer Improvements		39,374.69
James M. Doss & Associates:		
Curtis Union 76; Parcel 102, 103		270.00
" " " Parcel 101		150.00
Fuller & Johnson, P.A. (Estech)		4,893.59

ASSET MANAGEMENT:

Deletion of Assets -

1) Golf Course:

<u>Asset No.</u>	<u>Description</u>
8492	1976 Kubota Tractor
6757	Jacobsen Aero-Blade Verti-Cut
4209	EZ Role Mower
14974	Jacobsen Trimmer
14973	Jacobsen Greensmower

2) Motor Pool:

<u>Asset No.</u>	<u>Description</u>
S-4	Mechanics Tool Set
S-13	5 Ton Black Hawk Jack
S-24	Mechanics Tool Set
S-25	Mechanics Tool Set
S-32	Air Impact Wrench
S-51	Graco Air Grease Gun
S-91	10 Ton Hydraulic Ever-Pac
10096	I R Impact Wrench

APPLICATION FOR REVENUE SHARING 1980-81: Chapter 218, Part II, Florida Statutes - Chairman authorized to sign.

TRANSCRIPT - Accepted:

May 20, 1980 meeting of the Board of County Commissioners regarding Mass Transit, Electric Utility and Drainage Elements of the proposed Comprehensive Plan

TRANSPORTATION AUTHORITY BILL; AIRPORT AUTHORITY

Senator Pat Neal advised that he is at the disposal of the Board to make necessary modifications to the Transportation Authority Bill if requested and that he would like to have an opportunity to discuss the particular issues with the Board. Also, he expressed no objection to the creation of a County-created Airport Authority.

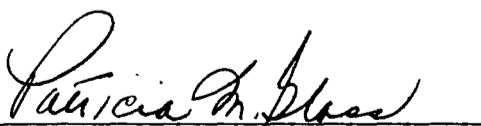
MEETING ADJOURNED

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

Attest:

APPROVED:

  
 \_\_\_\_\_  
 Clerk

  
 \_\_\_\_\_  
 Chairman 9/9/80

Adj: 2:37 p.m.