

JULY 1, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, July 1, 1980 at 9:04 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
Gary Knuckles, Acting County Administrator
Peter Ramsden, Finance Director, representing R. B. Shore,
Clerk of Circuit Court

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

Invocation by Rev. Lawrence Carroll, Island Baptist Church.

The meeting was called to order by Chairman Glass.

PHOSPHATE MINING COORDINATOR

Bob Fernandez, Assistant County Administrator, reported that interviews for applicants for the position of Phosphate Mining Coordinator are being scheduled, and that Mr Collier will discuss the matter further Thursday, July 3, 1980.

DRIVER LICENSE BRANCH OFFICE (WEST BRADENTON)

Commissioner Fortson reported that he has been contacted concerning the possibility of the County providing land for a Driver License branch office in the West Bradenton area, and utilizing the pre-fabricated buildings that will become available when the Florida Highway Patrol moves from its present office into the new office on State Road 70.

There were no objections to the County Administrator staff pursuing the availability of land and reporting its findings to the Board.

24TH STREET WEST/BAYSHORE GARDENS - DRAINAGE CANAL (FENCING)

Mr. Fortson routed a memorandum from the Director of Highway and Engineering giving two quotes on the cost of installing chain link fence across 24th Street where it dead-ends into the drainage canal at 58th Avenue W., Southwood Village. (Request by Bayshore Gardens Condominium Association that county install.) There were no objections to his suggestion that this matter be placed on the agenda for discussion at a subsequent meeting.

BRADEN RIVER CROSSING (36" WATER LINE) - BRYANT ELECTRIC

In reporting on the 36" water transmission line (Braden River Crossing-Marshall property), the County Attorney advised that

- 1) dispute concerning placement of the pipe in County easements is being litigated in a lawsuit between Bryant Electric Company and the owners of the particular land (Marshall's Landing, Inc); that if this matter is satisfactorily resolved in court, Manatee County will have no liability;
- 2) the cost incurred by the County as a result of an improperly installed checkvalve is being compiled and settlement will be negotiated with Bryant Electric Company;
- 3) the Company has admitted responsibility for land erosion at the point the line enters the river and this matter is presently being resolved with the sub-contractor.

ZONING: TARA - DRI NO. 11

The Planning Director relayed a request by the applicant that any special exceptions and rezone action concerning the Planned Unit Development (P.U.D.) TARA, be considered simultaneously with DRI No. 11, at a joint (Planning Commission - Board of County Commissioners) public hearing scheduled at 9:00 a.m. August 27, 1980.

Motion was made by Mr Driggers and seconded by Mr Parrish to hear all the items at one meeting. Motion carried unanimously.

TENNECO OIL CO - OFFICE AT PORT MANATEE

The Planning Director outlined a request from Tenneco Oil Company for a temporary use permit to place a mobile home on three acres of Port Manatee property leased by the company. The mobile home is to be used as a temporary office and equipment storage facility during their offshore exploration operation. The Zoning Ordinance does not specifically address the placement of a mobile home in such area as Port Manatee, but the Planning Department has no objection to issuing the permit.

The Board offered no objection to issuance of the temporary use permit.

COMMUNITY DEVELOPMENT BLOCK GRANT - WASHINGTON PARK WATER SYSTEM

The Chairman declared a public hearing open for the purpose of considering a program amendment in the Community Development Block Grant B-78 DS-12-0121 to allocate funds for street paving and storm water sewers in Washington Park.

Carol Clarke, Planning and Development, reported that approximately \$30,000 may be remaining from HUD Grant of \$216,000 after all interested citizens in Washington Park have connected to the water distribution system. She requested the Board to take appropriate steps to amend the program in order that any remaining Grant funds can be used for street paving and storm water sewers in the neighborhood.

If the Board approves this amendment the proposal will be sent to the A-95 reviewing agencies, which have thirty days to comment. Following this, a formal request will be sent to the Department of Housing and Urban Development.

The public hearing was declared closed.

Upon motion by Mr Parrish, seconded by Mr Driggers, the Chairman was unanimously authorized to sign letters to Tampa Bay Regional Planning Council and State Planning and Development Clearing House requesting review of the proposal in accordance with A-95 procedures.

GUN PERMITS (TITUS; GROOVER; GRAHAM; RAYE)

Motion was made by Mr Fortson to approve application and adopt resolution granting a gun permit for:

EVERETT WALLACE TITUS - 490 Ridgewood Lane, Ellenton, Fla
(Bond: U.S. Fire Insurance Company, Surety) - 2 years
Colt Detective Special Cal. 38; Serial No. 442283.

Motion was seconded by Mr Driggers and carried unanimously.

RECORD RESOLUTION

S10-1

Motion was made by Mr Driggers to approve application and adopt resolution granting a gun permit for:

ALTON BENNIE GROOVER - 346 Highland Shore Drive, Ellenton, Fla
(Bond: U.S. Fire Insurance Company, Surety) - 2 years
Smith & Wesson Mdl 60 38 Special; Serial No. R93103.

Motion was seconded by Mr Parrish and carried unanimously.

RECORD RESOLUTION

S10-2

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Cont'd

Motion was made by Mr Driggers to approve application and adopt resolution granting a gun permit for:

WILLIAM THOMAS GRAHAM - 1036 St Andrews Dr, Sarasota, Fla
(Bond: Service Insurance Company, Surety) - 2 years
S & W Model 36 "Chief" .38 Special; Serial No. J-400937.

Motion was seconded by Mr Parrish and carried unanimously.

RECORD RESOLUTION S10-3

The County Attorney advised that the application for renewal of license to carry a pistol submitted by Marcus F. Raye is incomplete in that the applicant failed to answer two questions:

- 1) weapon on which license is to be renewed;
- 2) any crimes committed since license was originally issued.

Motion was made by Mr Fortson to adopt the resolution renewing license to carry a certain pistol, subject to Mr Raye properly completing the application. Motion was seconded by Mr Driggers and carried unanimously.

BORDEN, INC; AMAX - POLLUTION CONTROL REVENUE BONDS

Rick Stevens, Attorney, of Holland & Knight Law Firm, representing AMAX Phosphate, Inc., and acting as Bond Counsel, advised that AMAX is in the process of purchasing the Piney Point Borden Chemical plant, (a part of which was initially funded by Pollution Control Bonds authorized by the Board of County Commissioners 7/1/75) from Borden, Inc. He requested amendment of the appropriate documents to allow AMAX to assume the obligations of Borden and to release Borden.

He further requested that the County Attorney be authorized to travel to New York July 2, 1980, at the expense of AMAX, to participate in the bond transaction.

The County Attorney submitted and recommended adoption of

A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTIONS OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PERTAINING TO CERTAIN MANATEE COUNTY POLLUTION CONTROL REVENUE BONDS (BORDEN PROJECT) DATED JULY 1, 1975 AND ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$4,200,000; APPROVING OF THE ACQUISITION OF THE PROJECT, THE BASE LEASE AND THE PLANT DESCRIBED THEREIN BY AMAX PHOSPHATE, INC. FROM BORDEN, INC.; APPROVING THE ASSUMPTION BY AMAX OF BORDEN'S OBLIGATIONS UNDER THE INSTALLMENT PURCHASE TRUST AGREEMENT AND THE CONCURRENT RELEASE OF BORDEN'S OBLIGATIONS THEREUNDER; PROVIDING FOR THE EXECUTION OF OTHER DOCUMENTS AND INSTRUMENTS; AND PROVIDING CERTAIN OTHER DETAILS WITH RESPECT THERETO.

The following documents were submitted as substantiating evidence of AMAX financial responsibility and its ability to undertake the obligations of the bond issue:

- 1) AMAX 1979 Annual Report
- 2) AMAX, Inc First Quarter Report 1980
- 3) Securities and Exchange Commission Annual Report for fiscal year ended December 31, 1979, AMAX, Inc

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

RECORD RESOLUTION S10-4

TRAVEL AUTHORIZATION - COUNTY ATTORNEY

Motion was made by Mr Parrish to authorize the County Attorney to travel to New York at no expense to the County. Motion was seconded by Mr Fortson and carried unanimously.

911 SYSTEM

Gary Knuckles, Acting County Administrator, reported that State funds in the amount of approximately \$100,000 are available for the installation of the 911 Emergency Communications System in the existing Manatee County Courthouse (to be relocated in the Public Safety Complex at a later date), and requested the Board to authorize General Telephone Company to proceed with the installation.

Motion was made by Mr McGavic, and seconded by Mr Fortson, to authorize the Chairman to sign a letter to General Telephone Company authorizing them to proceed with the planning and engineering for installation of the appropriate equipment. Motion carried unanimously.

PERSONNEL MANNING LEVEL AMENDMENT (RIGHT OF WAY/HIGHWAY DEPARTMENTS)

The Acting County Administrator submitted a proposal and a manning level resolution to delete all authorized classifications and their respective manning levels from what is presently the Department of Right of Way and add them to the Department of Highway and Engineering with no anticipated cost increase to either budget.

The proposal further recommended the presently authorized classification "Cost Accountant" be deleted and the classification "Finance Coordinator" added, in that duties and responsibilities of the incumbent more closely match the Finance Coordinator Job Description. The anticipated cost of salary adjustment through the end of the (1979-80) fiscal year is \$708.00.

After discussion, action was deferred to the following Thursday, July 3, 1980, pending additional information from the County Administrator.

RECESS/RECONVENE

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

SOLID WASTE ADVISORY COMMITTEE (MEMBERSHIP)

Upon motion by Mr Driggers, seconded by Mr McGavic, a six-months extension of terms (to December 31, 1980) of members of the Solid Waste Advisory Committee was unanimously approved for the following:

- | | |
|------------------|--------------|
| R. L. Burch | R. Hartshorn |
| P. R. Chapin | J. K. Minter |
| S. L. Crosthwait | M. Peters |
| K. W. Foster | C. Schock |
| N. J. Greene, Jr | W. J. Ward |

HUMAN SERVICES

By memorandum dated June 24, 1980, Kathy Snell, Director, Department of Human Services, requested approval of the following:

- (1) Changes to the CETA Title IID Public Service Employment Occupational Summary for the Manatee Council on Aging:
 - Delete: (1) Case Finder position @ \$3.10/hour
 - (1) Follow-Up Worker position @ \$3.10/hour
 - (1) Intake/Record Clerk position @ \$3.10 hour
 - Add: (3) Senior Aides positions @ \$3.10/hour.
- (2) Contract IID-80-4, Manatee Opportunity Council - Housing improvement, weatherization/energy repairs to homes of disadvantaged persons, in the amount of \$32,820; July 1, 1980 through September 30, 1980. This action cancels Contract VIP-06.

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- (3) CETA Title II, Section 204 Grant, Florida State Board for Vocational Education in the amount of \$100,486.00 to provide training and supportive services to approximately 169 disadvantaged individuals; October 1, 1980 through September 30, 1981.
- (4) Application to U.S. Department of Labor, Employment and Training Administration for Fiscal Year 1981 funding under CETA (consisting of a Master Plan and an Annual Plan for each grant program to be operated by the Prime Sponsor).
- (5) Chairman to execute a Community Care for the Elderly Agreement between the Board of County Commissioners and Tampa Bay Regional Planning Council. This Agreement in the amount of \$167,938 will provide Homemaker, Respite, Medical Transportation and Home Health Aid Services to elder residents of Manatee County for a period of July 1, 1980 through June 30, 1981. \$150,338 of this amount is from State General Revenue funds, while the remaining \$17,600 is an In-Kind contribution of staff and services. A cash match of \$10,201 is requested to provide case management services through the County Community Mental Health Center.
- (6) Chairman to execute Purchase of Service Agreements for provision of Community Care for the Elderly core services for the period of July 1, 1980 through June 30, 1980, as follows:

a)	<u>Homemaker Services</u>	
	Florida Home Health Services-Manasota	\$17,823.90
	Home Health Services of Sarasota	8,910.00
	Kelly Health Care	<u>12,272.00</u>
	Total Homemaker	\$39,005.90
b)	<u>Respite Care Services</u>	
	Upjohn Health Care Services	\$ 8,187.75
	Kelly Health Care	8,189.20
	Home Health Services of Sarasota	<u>10,928.50</u>
	Total Respite Care	\$27,305.45
c)	<u>Home Health Aide Service</u>	
	Kelly Health Care	\$ 8,538.75
	Home Health Services of Sarasota	<u>3,163.00</u>
	Total Home Health Aide	\$11,701.75
	GRAND TOTAL	\$78,013.10

- (7) Chairman to execute an Agreement for Purchase of Service between Board of County Commissioners and Manatee County Community Health Center, Inc., to provide case management services to Community Care for the Elderly in the amount of \$30,119, with \$19,918 budgeted from State funds, and \$10,201 local match cash commitment.
- (8) Contract No. III-80-1, Manatee County School Board, \$128,000 to provide a Skills Training Improvement Program (STIP) for economically disadvantaged persons, period of July 1 through September 30, 1980.

Ms Snell requested the Board take action on Items 1, 2, 3, 4 and 8, and defer action on Items 5, 6 and 7, pending further clarification.

Motion was made by Mr Fortson to approve Items 1, 2, 3, 4 and 8 as requested. Motion was seconded by Mr Driggers and carried unanimously.

The contract for the Community Care for the Elderly (CCE) was not received by the funding agency (Tampa Bay Regional Planning Council) from the Health and Rehabilitative Services (HRS) prior to expiration of the initial grant period and Ms Snell outlined two alternatives:

- 1) The County approve the contract and approve \$10,201 cash match for the State funds and sustain the program, based on a letter from Scott D. Wilson, Executive Director, Tampa Bay Regional Planning Council, dated June 30, 1980, advising that both Mr Kriese of HRS and the Council Chairman have signed the contract.
- 2) Suspend the program and the services.

Motion was made by Mr Fortson to continue the services (On a daily basis, until the Grant is received). Motion was seconded by Mr Driggers and carried unanimously. (Execution of the Agreements was withheld pending receipt of the Grant funds).

BUDGET AMENDMENTS (HUMAN SERVICES)

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

HUMAN SERVICES

- 1) From: General Fund Reserve for Contingency
 To: Manatee County Community Mental Health Center - Contributions \$ 2,000.00

RECORD RESOLUTION S10-5

Upon the recommendation of Commissioner Driggers, adoption of a resolution authorizing amendment of the Human Services 1979-80 budget was deferred pending receipt of CCE Grant funds, Re: item to item transfer as follows:

- 2) From: Reserve for Contingency
 To: CCE County Community Health Center Contributions and Donations \$10,201.00

GARBAGE DISPOSAL - FRANCHISE AGREEMENTS

Bob Fernandez, Assistant County Administrator, submitted alternatives in connection with the Garbage Franchise Agreements:

- 1) include construction debris as far as roll-off containers
- 2) exclude construction debris from the franchise Agreement altogether

Thomas Gallen, Attorney representing C.T. Adams, requested the the Chairman execute the Agreements in the original form.

Robert Hanna, General Manager, Cedar Hammock Refuse and Disposal Corp. and T.M. Gilmore Garbage and Sanitation, Inc., concurred with Mr Gallen.

John Donnelly commented on lack of strict definition of "construction debris".

Jesse Carr, representing the local Contracting Industry and Home Builders Association, expressed opposition to mandatory pickup of construction debris.

Motion was made by Mr Fortson and seconded by Mr Parrish to approve the Agreements in the original form (without changes). Motion carried unanimously.

Motion was made by Mr Driggers to adopt

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RESOLUTION REGARDING SANITATION DISTRICTS
AND REGARDING GARBAGE COLLECTION AND
DISPOSAL FRANCHISES

approving, ratifying and confirming motion passed by the Board in session on June 24, 1980, granting franchises to petitioners or applicants as follows:

<u>APPLICANT OR PETITIONER</u>	<u>DISTRICTS</u>
Cedar Hammock Refuse Disposal Corp.	1, 2, 3 & 4
T.M. Gilmore Garbage & Sanitation Inc	5, 7, 8, 10A & 10C
C.T. Adams d/b/a C.T. Adams Refuse Service	6 & 10B
Trailer Estates Park & Recreation District	9
A.L. Wyatt d/b/a A.L. Wyatt Refuse Disposal	11

and approving, ratifying and confirming motion passed by the Board in session on June 24, 1980, denying petition by Active Disposal Service, Inc., for a five year franchise covering Manatee County Sanitation Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10A, 10B and 10C Motion was seconded by Mr McGavic and carried unanimously.

✓ RECORD RESOLUTION

S10-6

MATERIALS AND SERVICES

By memoranda dated June 24, 27, 1980, Gary Knuckles, Director, Materials and Services Department, submitted requests for approval:

UTILITIES

1. Stainless Steel Tee Bar and Channel Rail for mounting EMU submersible pumps.
 - a. Purchase from sole source manufacturer, Environmental Marketing Group, at \$18,337.20.

At the request of Mr Driggers, action on this item was deferred to the following Thursday, July 3, 1980, pending further research by Mr Knuckles.

2. Cone Drive Speed Reducer
 - a. Purchase as an emergency sole source procurement from Ex-Cell-O, Corp., at \$4,368.00 (to be held in stock as a spare to reduce down-time at the water treatment plant)

Motion was made by Mr Driggers and seconded by Mr Parrish to approve the purchase of the Cone Drive Speed Reducer. Motion carried unanimously.

3. Bid 80-005 (Re-bid) Relocation of Metal Building
 - a. Award to lowest bidder meeting specifications and conditions, Meade House Moving, Inc, at \$6,500.00

Motion was made by Mr Fortson to approve Bid 80-005. Motion was seconded by Mr Driggers and carried unanimously.

MANATEE MEMORIAL HOSPITAL (DOCUMENTS ACCEPTED)

Upon motion by Mr Parrish, seconded by Mr Driggers, the Board unanimously accepted from the Board of Trustees, Manatee Memorial Hospital:

Minutes - Board of Trustees meetings of May 26, 1980
Committee meetings of May 21, 1980
Financial Statement for the Month of May, 1980.

GARBAGE FRANCHISE AGREEMENTS

Motion was made by Mr. Fortson and seconded by Mr Driggers to authorize the Chairman to execute Gargage Franchise Agreements with the applicants whose applications had been approved by prior motion. Motion carried unanimously.

✓ RECORD AGREEMENTS

S10-7
S10-8
S10-9
S10-10
S10-11

PROPERTY APPRAISER - BUDGET

In order to acquire information necessary in compiling the Fiscal Year 1980-81 County budget, motion was made by Mr Driggers and seconded by Mr McGavic to authorize the Chairman to sign a letter to A. P. Powell, Property Appraiser, requesting him to deliver an estimate of the total assessed value of nonexempt property for the current year. Motion carried unanimously.

U.S. 301 (RELOCATION)

Motion was made by Mr. Fortson to adopt

RESOLUTION REGARDING THE RELOCATION
OF THE PORTION STATE ROAD 683 (U.S.
301) FROM STATE ROAD 778 NORTH TO
STATE ROAD 683

supporting and encouraging construction of this segment as a new multi-lane highway and the proposal of Florida Department of Transportation for grade separations and interchanges with initial construction of said interchanges being at-grade intersections. Motion was seconded by Mr Driggers and carried unanimously.

RECORD RESOLUTION S10-12

BRADEN RIVER FIRE CONTROL DISTRICT

Motion was made by Mr Driggers and seconded by Mr Fortson to adopt

RESOLUTION CALLING FOR A REFERENDUM
ELECTION FOR THE BRADEN RIVER FIRE
CONTROL AND RESCUE DISTRICT

to be held in conjunction with the next regular primary election on Tuesday, September 9, 1980, as provided by House Bill 1498. Motion carried unanimously.

RECORD RESOLUTION S10-13

TOURIST DEVELOPMENT COUNCIL - MEMBERSHIP

Motion was made by Mr Driggers to adopt

RESOLUTION APPOINTING MEMBERS OF THE
MANATEE COUNTY TOURIST DEVELOPMENT COUNCIL

whereby:

1. The Chairman of this Board of County Commissioners is appointed as member of the Tourist Development Council and shall serve as Chairman of said Council;
2. John J. "Toby" Holland, Mayor, City of Palmetto and William A. Evers, Mayor, City of Bradenton, are appointed as members of the Council for a term of four years, commencing June 1, 1980 (or until expiration of terms of office if prior to four years);
3. Nothing herein contained shall affect the appointment of John E. Anderson, Jim Fields, Maurice M. Goodnight, Paul W. Bartley, James C. Garrison and O.M. Griffith as members for terms of office as set forth in Resolution adopted June 1, 1978.

Motion was seconded by Mr Parrish and carried unanimously.

RECORD RESOLUTION S10-14

DEEDS ACCEPTED (SWIFT; HAZELBAKER)

Upon motion by Mr Driggers, seconded by Mr McGavic, deeds were unanimously accepted in connection with right of way for the 9th Street East Project, as follows:

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- 1) Nena Swift, Parcel 7.1
- 2) Dennis and Linda Hazelbaker, Parcel 30.1R
(together with subordination of encumbrance to property rights, Parcel 30.2 R)

ROESCH SUBDIVISION - FIRST CITY FEDERAL SAVINGS AND LOAN PROPERTY

After a brief progress report by the County Attorney on the proposed purchase of the First City Federal Savings and Loan property (located in Roesch Subdivision), there were no objections to this item being placed on the Agenda for discussion on Thursday, July 3, 1980.

CLERK'S CONSENT CALENDAR

Upon motion by Mr McGavic, seconded by Mr Fortson, the Clerk's Consent Calendar dated July 1, 1980 was unanimously approved:

BONDSDriveway Permits

- 1) Release: Homes of Tradition, Richard Wolfe
Permit Nos. 4828, 4872, 4873, 4884 - \$ 200.00
- 2) Approve: Theroux Construction, Permit No. 7202 - \$ 300.00

Housemoving

- 3) Approve: Annual Bond - Richard David Knapp,
Masonry Movers \$5,000.00
(Surety, The Travelers Indemnity Co.)

MINUTES FOR APPROVAL

April 29, 1980; May 1 and May 6, 1980.

BILLS FOR PAYMENT

Firemen's Fund Insurance Co. & Harold Kauff (Settlement)	\$ 836.59
Sheriff: (Gun Permit Certification - Groover, A.B.)	10.00
(Gun Permit Certifications - Raye; Groover, A.E.)	20.00
Refund: Beverly E. McNeal (OB Clinic)	50.00
Jim Mixon Insurance Inc (Voting Machines, renewal)	1,352.00
Manatee Memorial Hospital	1,617.66
Sarasota Memorial Hospital (Welfare)	382.96
Crom Corporation, Est. #3, Proj. 630-671-04	131,688.99
W E D Contractors, Inc., Est. #3, Proj. 630-671-04	45,232.75

WARRANT LISTS

Approve warrant lists from June 24 to July 1, 1980 and authorize warrant lists from July 1 to July 8, 1980.

SPECIAL IMPROVEMENT ASSESSMENT LIENS: PARTIAL RELEASE

Authorize Chairman to sign Projects No. 639-4 (Sudduth); 412-570 (Wertz); 667-16 (Nelms); 676-13 (Grandys); 827-5, (Wooster).

ASSET MANAGEMENT - Agriculture Department

Delete Asset No. 1013 Typist desk with center well.

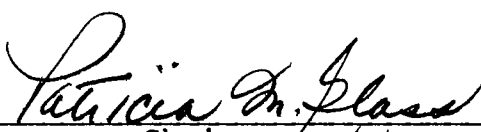
MEETING ADJOURNED

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

Attest:

APPROVED:


Clerk


Chairman 9/9/80

Adj: 12:12 p.m.