

JULY 8, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, July 8, 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
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; Libby Allison, The Bradenton Herald; Mark Todd, Sarasota Herald-Tribune, and others who entered during the meeting.

Invocation by Rev. Gerald Williams, Emanuel United Methodist Church.

The meeting was called to order by Chairman Glass.

SHERIFF - PROPANE GAS STORAGE AT PARRISH SUB-STATION

Commissioner Parrish reported that the Sheriff's Department is experimenting with the use of propane gas to power two patrol cars presently assigned to the Parrish sub-station and would like permission to place a propane storage tank at that location (on Parrish School property) as a matter of convenience.

There were no objections to recommendation by the County Attorney that action be deferred until he can ascertain if the County School Board will consent to a blanket lease to include all County governmental purposes on that site.

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

There were no objections to Commissioner Fortson pursuing and submitting additional information on the possibility of the County placing a fence across the dead end of 24th Street West at the drainage canal in Bayshore Gardens area.

BETTER MANATEE DAY

In appreciation of the contribution to the success of "Better Manatee Day, 1980," Richard Olsen and David Bassett, representatives of the Bradenton Kiwanis Club, presented to the Board a collage depicting people at work beautifying the County.

LOT CLEARING (LC-1327)

The Chairman declared public hearing open for the purpose of considering Lot Clearing petition

LC 1327 Lula Calhoun alleging that property owned by Iris Gaines has not been cleared in accordance with requirements of Chapter 69-1284, Laws of Florida, Special Acts of 1969.

Dave Fulford, Enforcement Officer, Planning and Development Department, submitted photographs as substantiative evidence that the property needs mowing.

No one spoke on the petition and public hearing was closed.

Motion was made by Mr Parrish to adopt a resolution determining that the property owner has not complied with the lot clearing law, and demanding that corrective action be taken with regard to clearing the land. Motion was seconded by Mr McGavic and carried unanimously.

RECORD RESOLUTION

S10-19

JULY 8, 1980

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HUMAN SERVICES

The County Administrator submitted for approval recommendations of the Human Services Department outlined by Kathy Snell, Director, in Items (1) and (2) of letter dated July 1, 1980:

- (1) Changes to CETA Title II-B Public Service Employment Occupational Summary for the Department of Human Services:
 - Delete: (1) Investigative Aide (Welfare Division) @ \$4.36/hour
 - Add: (1) Custodian, @ \$3.46/hour
- (2) Chairman to execute Modification No. 2 to Ceta Title IV Youth Community Conservation Improvement Project (YCCIP) Contract No. IV-80-3 with Manatee County School Board to increase the total contract amount from \$22,275 to \$25,016, for period May 1 through September 30, 1980.
- (3) (4) (5) - deleted at request of Human Services Department.

Motion was made by Mr Driggers to approve Items 1 and 2. Motion was seconded by Mr Fortson and carried unanimously.

MATERIALS AND SERVICES

By memoranda dated June 26 & 30, 1980, Gary Knuckles, Director, Materials and Services, requested approval of

Parks and Recreation

1. Bid 80-70, Barge & Tug Services for Artificial Fishing Reefs
 - a. Award to lowest responsible bidder, Complete Marine Construction, for hauling and unloading reef material @ \$1,680 per load and \$140.00 per hour to handle other work (checking buoys, channel markers, etc)

Motion was made by Mr Parrish to approve Bid 80-70. Motion was seconded by Mr Driggers and carried unanimously.

2. Bid 80-52, Playground Equipment
 - a. Award to lowest responsible bidder, Koontz Industries, for one Kid Kruiser and one Kid Kastle @ \$4,491.50.

At the request of Mr Parrish, action on this item was deferred until the following Thursday, July 10, 1980.

UTILITIES: WINDMILL MANOR/WESTWINDS MOBILE HOME PARKS

R.A. Wilford, Director, Manatee County Utilities System, appeared before the Board to discuss an agreement proposed by Donald Haddock, attorney for Lester G. Schott, developer of Windmill Manor and Westwinds Mobile Home Parks, originally doing business as Sandman Mobile Park, Inc, which is being offered the County as a compromise effort to resolve a problem resulting from alleged verbal agreements by the County to waive certain impact fees for the developer in return for his construction of additional (approximately one and one-half mile) sewer line prior to the construction of the County central sewer system.

Mr Wilford recommended the County not enter into any such agreement because it sets a precedent which is inconsistent with existing County policies for extension of sewer lines and for collection of connection fees. He advised that Windmill Manor had connected 80 units to the County central sewer system without the knowledge of the County; that when the connections were discovered, the developer had been pressed to pay the connection fees.

It was his suggestion that the Developer:

- 1) Upgrade the existing package plant to an AWT plant and obtain a discharge permit that is acceptable to the Department of Environmental Regulations and continue to use that plant, or
- 2) Connect to and pump their waste into the County system.

Donald Hadsock, attorney for Lester Schott, made a lengthy presentation regarding the development of the original Sandman Mobile Home Park, and the new section which became the second Mobile Home Park (Windmill Manor), from 1971 to the present time; the verbal agreement he said was made with his client to install the sewer lines at his expense since the County did not have the money for the extension, and funds from the County bond issue were not forthcoming, and that his client would be reimbursed, so to speak, by not having to pay impact/connection fees for the total number of units on the approved plans.

Copies of the proposed agreement were not available for examination and it was the concensus of the Board that more background information (circumstances leading to such agreement, comments by County Attorney, County Administrator, MCUS Director and any records pertaining to this subject) was necessary before a decision could be made. Therefore, action was deferred until the following Tuesday (7/22/80), pending Staff input and to afford the Commissioners time for review and deliberation.

COLONY LAKE ESTATES; VICTORY ROAD - PARTICIPATION AGREEMENT

Motion was made by Mr Parrish and seconded by Mr Driggers to authorize the Chairman to sign a Participation Agreement between Manatee County and F & B Properties, Inc., (developer of Colony Lake Estates) on construction of Victory Road from US 301 to Mendoza Road and acceptance of said road into the County maintenance system after completion. Motion carried unanimously.

RECORD AGREEMENT S10-20

PERSONNEL - HIGHWAY DEPARTMENT (MORAN)

Based on the recommendation of Harry S. Ely, Director, Highway and Engineering, motion was made by Mr Fortson and seconded by Mr Parrish to grant additional sick leave credits to Loney E. Moran, an employee of that Department, as provided in the Manatee County Personnel Policy. Motion carried unanimously.

US 301 RELOCATION

Upon motion by Mr McGavic, seconded by Mr Parrish, the Chairman was unanimously authorized to forward a letter to the Florida Department of Transportation, transmitting revised Traffic Analysis Zone data in connection with U.S. 301 (relocated) corridor. (Ref. James Kennedy presentation 6/24/80)

PARKS AND RECREATION SPECIAL INTEREST CLASSES

TENNIS CLINICS (AGREEMENT/DECKER)

Motion was made by Mr Fortson to approve, and authorize the Chairman to sign, a Special Interest Classes Instructor's Agreement with B. Edson Decker, 9523 Antiqua Cove, Bradenton, to conduct Tennis Clinics for the County Parks and Recreation Department. Motion was seconded by Mr Driggers and carried unanimously.

RECORD AGREEMENT S10-21

41ST AVENUE EAST CUL DE SAC

The County Administrator announced that the County Highway Department has received favorable response from the State Department of Transportation in connection with the reconstruction of the cul de sac at the end of 41st Avenue East, although no written confirmation has been received as of this date.

ANNA MARIA CITY PIER - COUNTY RESPONSIBILITY

The County Administrator offered two options in connection with request by the City of Anna Maria that the County assume responsibility for maintenance of the Anna Maria City Pier:

- (1) The County assume responsibility and make conditional repairs at County expense, or
- (2) If the County determines such repairs are not feasible, close the pier immediately and apply to the State for a grant to build a new pier.

JULY 8, 1980

Cont'd

The County Attorney advised that it is legally possible for the City to convey the pier to County ownership without the loss of underwater property rights, etc.

Motion was made by Mr Driggers that the staff be instructed to prepare the necessary documents whereby County can assume the responsibility of the Anna Maria City Pier and submit to the Board for consideration. Motion was seconded by Mr Parrish and carried unanimously.

SHERIFF: PROPANE GAS STORAGE - PARRISH SUB-STATION

The County Attorney reported that research of the existing lease between the County and the School Board reveals that specific consent of the School Board is necessary in order for the Sheriff to place the propane gas facility on the Parrish school property. He recommended that Staff compile a list of all possible County uses and he would submit request to the School Board for blanket consent. There were no objections.

POLLUTION CONTROL REVENUE BONDS - AMAX, INC/BORDEN, INC

In connection with the Amax, Inc assumption on July 3, 1980, of Borden, Inc Pollution Control Revenue Bonds issue, the County Attorney submitted and recommended acceptance of the following fully-executed documents:

- 1) Amendment to Installment Purchase Trust Agreement
- 2) Amendment to Ground Sublease
- 3) Bond Modification Agreement

Motion was made by Mr Driggers to accept the documents. Motion was seconded by Mr Fortson and carried unanimously.

RECORD

S10-22
S10-23
S10-24

LOCKWOOD RIDGE ROAD - PURCHASE RIGHT-OF-WAY PROPERTY (MAUCK)

The County Attorney submitted and recommended approval of an Agreement between the County and William J. and Jan M. Mauch for acquisition of property to be used as right-of-way for Lockwood Ridge Road (parcel No. 9.1) for a total sum of \$2,990.00.

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

RECORD AGREEMENT

S10-25

5TH AND 6TH CENT GASOLINE TAXES

R. B. Shore, Clerk, submitted his letter dated July 7, 1980, advising that a CPA firm in Tallahassee, engaged by his office to work with the Florida Department of Transportation in an effort to reconcile the State accounting records with County records regarding the 5th and 6th Cent Gasoline taxes, has verified a total available balance of \$1,021,517,.00 as of April 30, 1980. He stated that after deduction of prior commitments and expenditures there remains a total uncommitted balance of \$392,454 which is now available to be budgeted for road construction.

Additional findings indicate that there appears to be overfunding in the state bond funds held and administered by the State Board of Administration for Manatee County. These funds may be used for bond payments next year rather than using current gas funds, thus freeing up another \$350,000 for road construction as of October 1, 1980.

CONSENT CALENDAR JULY 8, 1980

Upon motion by Mr Fortson, seconded by Mr Driggers, the Clerk's Consent Calendar dated July 8, 1980, was unanimously approved as follows:

JULY 8, 1980

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BILLS FOR PAYMENT

Zickafoose Financial Services (Fleet Insurance Service fee)		\$ 425.25
Rusty Plumbing:	1) Estimate #9, Project 630-761-08,	7,348.68
	2) Estimate #9, Project 630-761-01,	8,041.82
	3) Estimate #10, Project 630-761-01	10,328.79

WARRANT LISTS

Approve Warrant Lists from July 1, 1980 to July 8, 1980, and authorize Warrant Lists from July 8, 1980 to July 15, 1980.

MEETING ADJOURNED


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

Attest:

APPROVED:



Clerk



Chairman

Adj: 11:10 a.m.