

JULY 31, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Thursday, July 31, 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; Mark Todd, Sarasota Herald-Tribune, and others who entered during the meeting.

Invocation by Rev. Scott Westbrook, West Bradenton Baptist Church.

The meeting was called to order by Chairman Glass.

METROPOLITAN PLANNING ORGANIZATION

Commissioner McGavic announced that the Board of Sarasota County Commissioners has approved a new MPO (Metropolitan Planning Organization) staff position and assigned an automobile to MPO.

DRAINAGE DITCH (HILLCREST DR NW, HARBOR HILLS)

Mr McGavic relayed information from Judy Kavanaugh that she has been retained by the property owners on Hillcrest Drive NW to represent their interest in connection with the erosion of their property by a County drainage ditch.

The County Administrator will contact Ms Kavanaugh and explain the action that has been taken by the County to date.

ROAD BOND ISSUE - REFERENDUM

Mr Driggers moved for adoption of

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA, ORDERING AND PROVIDING
FOR THE HOLDING OF A BOND ELECTION IN MANATEE
COUNTY, FLORIDA, ON THE QUESTION OF THE ISSUANCE
OF \$20,000,000 GENERAL OBLIGATION BONDS OF MANATEE
COUNTY, FLORIDA, FOR THE CONSTRUCTION, RECONSTRUCTION,
AND IMPROVEMENTS OF VARIOUS ROADS, STREETS AND CERTAIN
BRIDGES FOR AUTOMOTIVE TRANSPORTATION AND THE CON-
STRUCTION OF AUXILIARY ROADS FOR BICYCLE TRANSPORTATION.

providing for the referendum to be held September 9, 1980 on question of the Road/Bikepath Bond Issue and for the forms of Ballots to be

Bond Election Ballot #1
Manatee County, Florida
Roads, Streets and Bridges
(Not exceeding \$19,400,000)

Bond Election Ballot #2
Manatee County, Florida
Auxiliary Roads
(Not exceeding \$600,000)

✓ RECORD RESOLUTION S10-48

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Cont'd

Motion was seconded by Mr Parrish. Voting "Aye" were Commissioners Driggers, Parrish and Glass. Commissioners Fortson and McGavic voted "No". Motion carried.

SHERIFF: BUDGET (1980-81)

Sheriff Tom Burton and Captain David O'Brian made a presentation on the proposed Sheriff Department Budget for Fiscal Year 1980-81 (\$3,979,998).

Sheriff Burton explained that the proposed two percent increase over the actual expenditures of the past fiscal year is to enlarge the force by eight members and to provide a cost of living raise to place the departmental pay at a competitive level with other police agencies.

Motion was made by Mr Fortson to approve the Sheriff Department budget as submitted. Motion was seconded by Mr Driggers and carried unanimously.

KNOLLWOOD SUBDIVISION - FINAL PLAT

Gregory Meisner, Attorney for Joe Duennes, owner and developer of Knollwood Subdivision, requested approval of the final plat, based on the fact that the County central sewer system, although not presently available to Knollwood Subdivision, will be abutting the property in a short period of time (hopefully by time construction is completed and the homes are ready for sewer connections).

In that his client has incurred considerable expense preparing the property for septic tanks usage, (as it was originally indicated that septic tank usage was permitted under the final plat) approval will preclude any necessity for estoppel proceedings.

Jim Rhinehart, Utilities Department, stated that the County School Board has verbally consented to an easement to run the sewer line across Stewart Elementary School property, and that this will bring the line to the southeast corner of the Knollwood development.

With the understanding that the County sewer system will be available to a corner of the property in approximately four months, and that either Mr Duennes or individual owners will be obligated to connect to the sewer when it is available within Knollwood Subdivision, Mr Meisner submitted a Utility Easement granting the County a permanent 15-foot easement (South 7.5 feet of Lot 15 and the North 7.5 feet of Lot 16) and a 10-foot temporary easement to be utilized for construction purposes, together with a Certificate of Deposit (in the amount of \$1,166.) as security to guarantee completion of subdivision improvements.

The County Attorney approved the form of the plat, the easement and the form of security for construction. He advised that approval of the final plat and acceptance of the easement and security by the Board will grant the petitioner the right to use septic tanks until such time as the central sewer system is available.

Motion was made by Mr Fortson and seconded by Mr Driggers to approve the final plat, accept the easement and the security for construction. Motion carried unanimously.

Based on the recommendation of the County Attorney, Mr Rhinehart was instructed to initiate the necessary procedure to comply with Chapter 153, Florida Laws, as it applies to front-foot assessment for sewer connections.

TRANSIT - REDUCED STUDENT FARE

Upon recommendation by Phil Davis, Transportation Director, that student fares be temporarily reduced to half price to promote usage of the County transit buses during the remainder of the vacation period, motion was made by Mr McGavic and seconded by Mr Parrish to reduce student fares accordingly, effective during the month of August, 1980. Motion carried unanimously.

PARKS AND RECREATION - FISHING REEFS AGREEMENT

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

RESOLUTION APPROVING AND AUTHORIZING EXECUTION
OF A FLORIDA BOATING IMPROVEMENT PROGRAM
PROJECT AGREEMENT

between Manatee County and the Department of Natural Resources whereby the Department agrees to provide County with financial assistance in the amount of \$33,340 to be used specifically for the construction and maintenance of fishing reefs. Motion carried unanimously.

RECORD RESOLUTION
AND AGREEMENT S10-49
S10-50

MATERIALS AND SERVICES

Gary Knuckles, Director, Materials and Services Department, in memoranda dated July 18 and 24, 1980, submitted recommendations as follows:

AGRICULTURE

- 1. Bid 80-73 Partial Roof Repair/Replacement Ag. Center Building
 - a. Reject single bid (does not meet specifications)
 - b. Re-bid.

Motion was made by Mr McGavic to reject Bid 80-73 and re-bid the project. Motion was seconded by Mr Parrish and carried unanimously.

SAMOSET ELEMENTARY SCHOOL

- 1. Bid 80-71 Multi-Purpose Play Court
 - a. Award to lowest responsible bidder, Watson & McPherson, total sum of \$11,100.00

Motion was made by Mr McGavic to approve award of Bid 80-71. Motion was seconded by Mr Parrish and carried unanimously.

HUMAN SERVICES

Recommendations of the Human Services Department were submitted by Kathy Snell, Director, in memorandum dated July 22, 1980, as follows:

Delete Items (1), (2) and (3) from the request;

- (4) Authorize the Chairman to execute a Purchase of Service Agreement with H.O.P.E. of Manatee in the amount of \$4,878.86, (in conjunction with Board approval 7/3/80) for period July 29, 1980 to September 30, 1980.

Motion was made by Mr Driggers to approve Item (4). Motion was seconded by Mr Fortson and carried unanimously.

RECORD AGREEMENT S10-51

- (5) OJT Contract P-017 Florida Hone Corp., \$706.80, July 14, 1980 through September 30, 1980

Motion was made by Mr Fortson to approve OJT Contract P-017. Motion was seconded by Mr Driggers and carried unanimously.

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Mr McGavic and Mr Driggers requested the record reflect that they are members of Board of Directors of H.O.P.E. and will receive no compensation or other consideration as a result of the vote.

BUDGET AMENDMENT - H.O.P.E.

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

Human Services

From: General Fund Reserve for Contingency
To: H.O.P.E. of Manatee Inc. Contributions \$ 4,879.00

RECORD RESOLUTION

S10-52

RIVER SPRINGS SUBDIVISION - BOND; STREETS

Based on the recommendation by Harry Ely, Director, Highway and Engineering, and certification of Leonard J. Najjar, Engineer of Record for River Springs Subdivision, motion was made by Mr Fortson to accept the street and drainage improvements for County maintenance, and release the performance bond in the amount of \$124,960.00. Motion was seconded by Mr Driggers and carried unanimously.

PERSONNEL MANNING LEVELS AMENDED (RIGHT OF WAY / HIGHWAY)

Motion was made by Mr McGavic and seconded by Mr Fortson to adopt a Resolution amending the Established Manning Levels for the purpose of consolidating the Departments of Right-of-Way and Highway and Engineering:

	Authorized No. Employees	
	From	To
<u>RIGHT OF WAY</u>	11	0
<u>HIGHWAY & ENGINEERING</u>	190	200

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

RECORD RESOLUTIONPERSONNEL - HIGHWAY (WALDEN, SICK LEAVE)

By memorandum dated July 25, 1980, Harry Ely, Director of Highway and Engineering, requested that Paul Walden, an employee of that Department, be granted additional sick leave credits as provided for in the Manatee County Personnel Policy.

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

BUDGET AMENDMENTS (HIGHWAY; HUMAN SERVICES; UTILITIES)

Upon motion by Mr Parrish, seconded by Mr Driggers, resolutions were unanimously adopted to amend the 1979-80 budget to provide for receipt and appropriation of unanticipated revenues from various sources:

Highway

1) Increase Revenue: Auction Proceeds
Increase Expenditures: Transfer to Highway \$25,697.00

RECORD RESOLUTION

S10-53

2) Increase Revenue: Transfer from General Fund
Increase Expenditures: Restoration of Water-Damaged Roads 25,697.00

RECORD RESOLUTION

S10-54

3) Increase Revenue: Transfer from Highway & Engineering Operating
 Increase Expenditures: Bike Paths 5th St. W. 14,500.00
RECORD RESOLUTION S10-55

and by item to item transfers:

4) From: Structures
 To: Transfer to Capital Projects 14,500.00
RECORD RESOLUTION S10-56

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

Human Services

From: DeSoto Celebration (contributions)
 To: Chamber of Commerce (contributions) \$ 9,000.00

RECORD RESOLUTION S10-57

Mr McGavic announced that he is a member of the DeSoto Celebration organization but receives no remuneration as a result of the vote.

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

Utilities

From: Reserve for Contingency
 To: Administration Equip. (Fuel Management System) \$35,000

RECORD RESOLUTION S10-58

Mr Driggers requested a status report on the fuel usage at the end of six months.

RECESS/RECONVENE

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

MILEAGE - RATE REVISION

Based on the recommendation of R. B. Shore, Clerk of Circuit Court, in memorandum dated July 28, 1980, motion was made by Mr Driggers and seconded by Mr McGavic to approve an increase in County mileage rates from 18-1/2 cents to 19 cents per mile for travel (reimburse county employees) in accordance with Section 112.061, Florida Statutes, to be effective August 1, 1980. Motion carried unanimously.

TRAVEL AUTHORIZATION (COLLIER)

Motion was made by Mr Fortson and seconded by Mr Driggers to authorize David B. Collier to travel to Emmitsburg, Maryland, August 20-23, 1980 to attend ICMA /Small Cities/Volunteer Fire Service study session at no expense to the County. Motion carried unanimously.

PARRISH SCHOOL PROPERTY - CONSENT TO USE (SHERIFF SUB-STATION)

Motion was made by Mr Parrish and seconded by Mr Driggers to accept

CONSENT TO SPECIFIC USES OF THE PARRISH SCHOOL PROPERTY BY THE COUNTY OF MANATEE, FLORIDA

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executed by the Superintendent of Schools, approving and consenting that said property may be used for operating a Sheriff Sub-station, containing offices, parking and servicing facilities, fuel storage tank and other related facilities to provide police protection and law enforcement in the northern portion of the County.

Motion carried unanimously.

RECORD CONSENT

S10-59

ROAD BOND ISSUE

Motion was made by Mr Driggers and seconded by Mr Parrish to authorize the County Administrator to develop a public information program in an effort to answer the questions being asked by the general public regarding the proposed road bond issue. Motion carried unanimously.

R.H. ROESCH SUBDIVISION - FIRST CITY FEDERAL SAVINGS & LOAN ASSN

The County Attorney submitted and outlined

RESOLUTION AUTHORIZING THE BORROWING OF \$125,000
TO PROVIDE TEMPORARY FINANCING FOR THE ACQUISITION
OF REAL PROPERTY

* Revenue Anticipation Note \$125,000, Ellis First National Bank of Brad. for parking facilities for motor vehicles, pursuant to Agreement for County to purchase three lots in R. H. Roesch Subdivision from First City Federal Savings and Loan Association.

Motion was made by Mr Fortson to adopt the resolution. Motion was seconded by Mr Driggers. Voting "Aye" were Commissioners Fortson, Driggers, Parrish and Glass. Commissioner McGavic voted "No." Motion carried.

RECORD RESOLUTION

S10-60

LAWSUIT - PALMA SOLA ASSOCIATION

In connection with a dispute involving disposition of certain public areas within Palma Sola Park (ref. Board meeting of 7/29/80), the County Attorney outlined alternatives as a means to protect the interest of the County:

- 1) Monitor the lawsuit
- 2) File as a Friend of the Court
- 3) Intervene as a participating party
- 4) Intervene on behalf of the plaintiff or the defendant

Motion was made by Mr Fortson to authorize the County Attorney to consult with the attorney for the Association (Tom Gallen) and determine extent of participation to best protect the interest of the County. Motion was seconded by Mr Driggers and carried unanimously.

PARKS AND RECREATION - PALMETTO BALL FIELD (PURCHASE OF PROPERTY)

In connection with construction of the Palmetto ball fields and the purchase of the Thibodeau, Ogline and Rhinehart real property (6/19/80) the County Attorney submitted and recommended acceptance of:

- 1) The Closing Statement describing the property and giving a breakdown of the total purchase price (\$20,625.00)
- 2) Warranty Deed transferring said property to the County

Motion was made by Mr McGavic to accept the documents. Motion was seconded by Mr Parrish and carried unanimously.

LAWSUIT: BRYANT ELECTRIC vs MARSHALL

The County Attorney reported a lack of progress toward settlement of the controversy between Bryant Electric Company and the Marshall family regarding installation of the 36-inch County water main, and further, that Mr Marshall has refused the subcontractor access to the property to repair erosion damages.

There were no objections to suggestion by Mr McGavic that the Board reconsider Mr Marshall's earlier offer to exchange the disputed easement for other County property; reviewing aerial maps or other illustrations showing exactly what Mr Marshall is proposing, and a determination by the County staff as to current or future needs of the County, if any, for the property Mr Marshall wants in exchange for the easement.

Concensus of opinion was that Mr Marshall should be contacted and arrangements made for the contractor to proceed with repairing erosion damages. The County Attorney volunteered to advise Jim Rhinehart, Utilities Department, to contact Mr Marshall.

LAWSUIT: W. R. GRACE COMPANY

The County Attorney reported that the State's Attorney has been apprised of the W. R. Grace excavation activities at the Four Corners Mine and, if the Board so requests, that office will make an investigation of facts.

There was discussion, but no action was taken, on information by the County Attorney that:

- 1) a civil suit by Grace against the County is proceeding
- 2) Grace has appealed from the Zoning determination
- 3) the attorney for Grace has requested that he and the County staff coordinate a legal definition of "pre-mining activities"

BRADEN RIVER FIRE CONTROL & RESCUE DISTRICT: REFERENDUM

Jerome Davis, Supervisor of Elections, submitted and requested approval of the recommended wording of the question to appear on the September 1980 primary ballot regarding establishment of a Special Fire Control District, as follows:

"Section 1. Shall all of the lands in Manatee County hereinafter described shall become and be incorporated into a Special Fire Control District, a public corporation, having the powers and duties herein set forth under the name of the Braden River Fire Control and Rescue District.

Section 2. The lands included in the district shall be described as follows:

Begin at the intersection of the centerlines of the Manatee River and the Braden River; thence easterly along the centerline of the Manatee River and Lake Manatee to S.R. 64; thence westerly along the centerline of S.R. 64 to S.R. 675; thence south along the centerline of S.R. 675 to S.R. 70; thence westerly along the centerline of S.R. 70 to the centerline of the Braden River; in section 23, township 35 south, range 19 east; thence westerly and northerly along the centerline of the Braden River to the Centerline of the Manatee River, also being the point of beginning; specifically excluding all lands lying and situate within the corporate limits of the City of Bradenton.

For the referendum

Against the referendum."

Motion was made by Mr Fortson to approve the wording of the ballot. Motion was seconded by Mr Driggers and carried unanimously.

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AUDIT REIMBURSEMENT (SENATE BILL 18-C)

Motion was made by Mr Parrish to adopt a

RESOLUTION REQUESTING REIMBURSEMENT
UNDER SENATE BILL 18-C

which requests the State of Florida to reimburse Manatee County \$122,890.67 for costs incurred in having audits of local units of Government, as required by Section 11.45, Chapter 79-589, Florida Statutes, made by an independent certified accountant with respect to the 1978-1979 fiscal year, and to authorize the Chairman to execute Certification of Audit Costs.

Motion was seconded by Mr McGavic and carried unanimously.

RECORD RESOLUTION

S10-61

CLERK'S CONSENT CALENDAR

Upon motion by Mr McGavic, seconded by Mr Driggers, the Clerk's Consent Calendar dated July 31, 1980 was unanimously approved as follows:

BONDS - Driveway Permits

Approve: Kennell Construction, Permit No. 7277,	\$	800.00
Paul & Vickie Haag, Permit No. 7743,		75.00

BILLS FOR PAYMENT

Tampa General Hospital (Welfare)	\$	1,100.10
Ardaman & Associates (Mosquito Control Dist.- re proposed landfill sites)		3,480.50
Zickafoose Financial Services (monthly billings)		836.30
Bay-Con General Inc (Est #8, Proj. 630-671-05/04 Elwood Park Booster Station)		339,560.33

MINUTES FOR APPROVAL - May 29, 1980; June 3, 1980

WARRANT LISTS - From July 15 through July 29, 1980 and authorize Warrant Lists to August 5, 1980.

TAX ROLL RECAPITULATION 1979 - Authorize Commissioners to sign

TRAILER ESTATES FIRE CONTROL DISTRICT FINANCIAL AND AUDIT REPORT, SEPTEMBER 30, 1979 - Accept.

CORRESPONDENCE

Correspondence was acknowledged from:
Anna Maria Island Chamber of Commerce - expressing opposition to the proposed Civic Center and the Resort Tax.

TOURIST DEVELOPMENT COUNCIL

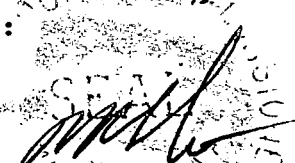
Chairman Glass announced that a meeting of the Tourist Development Council has been held and recommendations regarding the spending category will be made to the Board of County Commissioners at a later date.

MEETING ADJOURNED

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

Attest:

APPROVED:


Clerk


Chairman

Adj: 11:40 a.m.