

AUGUST 5, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, August 5, 1980 at 9:05 a.m.

Present were Commissioners:

Patricia M. Glass, Chairman  
Claude E. McGavic  
L. H. Fortson, Jr.  
Louis E. Driggers

Lamar S. Parrish, Vice-Chairman, entered during the meeting

Also present were:

E. N. Fay, Jr., County Attorney  
David B. Collier, County Administrator  
Ralph Umana, Deputy Clerk, representing R. B. Shore, Clerk of Circuit Court

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

Invocation by Rev. Kenneth L. Bright, Palmetto Assembly of God.

The meeting was called to order by Chairman Glass.

AAU TRACK MEET

Herb Colmorgen requested financial assistance in the amount of \$1,282.60 to send four County participants and two chaperones to California to participate in the AAU Track Meet from August 14 through August 18, 1980. The matter was deferred until August 7, 1980 pending research by the County Attorney as to whether this would be a legal expenditure.

Mr. Driggers volunteered to contact Don Busey, Chamber of Commerce, for possible funding.

REWARD - HOLMES BEACH, ANNA MARIA ISLAND MURDERS

The County Administrator was instructed to contact Sheriff Burton regarding the possibility of posting a reward for information leading to the arrest and conviction of the criminal in connection with a recent tragedy in Holmes Beach in which several people were shot and killed, including an employee of the Manatee County School Board.

COMPREHENSIVE PLAN: MOBILE HOME  
AND RECREATIONAL VEHICLE DEVELOPMENT

Bob Rile, Planning and Development Department, submitted a Comprehensive Plan Discussion Paper II summarizing land use and zoning issues pertaining to mobile homes and recreational vehicles, current regulations and problems, particularly location and occupancy requirements.

There were no objections to discussing these issues further at a work session on the Comprehensive Plan.

GUN PERMIT RENEWALS (BOWMAN)

Motion was made by Mr. Driggers and seconded by Mr. Fortson to adopt resolutions granting renewal of two gun permits to

Lee J. Bowman - 603 64th Avenue West, Bradenton  
(Bond: Bradenton Insurance Company)  
1) Smith & Wesson 38 Cal. Mod 37 Serial No. SJ2 66095 - 2 yrs  
2) Colt Det. SPL 38 Cal. Serial No. M47288 - 2 yrs

Motion carried unanimously.

RECORD RESOLUTIONS

S10-62  
S10-63

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HUMAN SERVICES

By memorandum dated July 29, 1980, Kathy Snell, Director of the Human Services Department, requested

- 1) Authorize Chairman to execute a Community Care for the Elderly (CCE) Agreement between the Manatee County Board of County Commissioners and Tampa Bay Regional Planning Council in the amount of \$167,938 for period July 1, 1980 through June 30, 1981 (\$150,338 State General Revenue funds; \$17,600 in-kind contribution of staff and services). A cash match of \$10,201 (included in the in-kind budget) is requested to provide case management services through the Manatee County Mental Health Center.  

RECORD AGREEMENT S10-64
- 2) Authorize Chairman to execute the following Purchase of Service Agreements for the provision of the CCE core services for the period July 1, 1980 through June 30, 1981:
  - a) Homemaker Services: Florida Home Health Services - Manasota, \$17,823.90; Home Health Services of Sarasota, \$8,910; Kelly Health Care, \$12,272  

RECORD AGREEMENTS S10-65
  - b) Respite Care Services: Upjohn Health Care Services, \$8,187.75; Kelly Health Care, \$8,189.20; Home Health Services of Sarasota, \$10,928.50  

RECORD AGREEMENTS S10-66  
RECORD AGREEMENTS S10-67
  - c) Home Health Aide Services: Kelly Health Care, \$8,538.75; Home Health Services of Sarasota, \$3,163  

RECORD AGREEMENTS S10-68 to 70  
RECORD AGREEMENTS S10-71, 72
- 3) Authorize Chairman to execute an Agreement for Purchase of Service between the County and the Manatee County Community Mental Health Center, Inc. in the amount of \$30,119 (\$19,918 State funds; \$10,201 local matching cash commitment) for the purpose of providing case management services to CCE clients  

RECORD AGREEMENT S10-73
- 4) Authorize Chairman to sign Certificate of Acceptance of Subgrant Award for the Juvenile Justice and Delinquency Prevention (JJDP) project entitled "Pathways" to be administered by the Manatee County Mental Health Center, Inc. (\$42,440 in federal funds)
- 5) Authorize Chairman to execute a contract between the County and the Manatee County Community Mental Health Center, Inc. formalizing the JJDP grant award (Item 4)  

RECORD CONTRACT S10-74
- 6) Authorize Chairman to sign an FY 1981 Community Services Trust Fund (CSTF) grant proposal in the amount of \$9,428 for the operation of a legal aide program for low-income residents from October 1, 1980 through September 30, 1981. A cash match of \$7,904 and an in-kind match of \$1,524 (rental space at Department of Human Services) will be required.

Motion was made by Mr. Driggers to approve items 1 through 6 as outlined in memorandum dated July 29, 1980. Motion was seconded by Mr. McGavic and carried unanimously.

PARKS & RECREATION - 59TH STREET PARK

The County Administrator relayed a request by the Parks and Recreation Department (P&R) to provide security fencing, landscaping and additional irrigation lines and sprinklers at 59th Street Park (at an approximate cost of \$28,000). He advised that funding would be available from the Highway Department (purchase of stocked bridge rails from P&R) and from Utilities System (work done by P&R at the Southwest Regional Wastewater Treatment Plant). He advised that budget amendments would be necessary to transfer the funds to the P&R Department.

Motion was made by Mr. Driggers to approve the project and authorize the staff to prepare appropriate budget amendments for review by the Board on Thursday, August 7, 1980. Motion was seconded by Mr. Fortson and carried unanimously.

COUNTY ROADS - FLASHING BEACONS

Motion was made by Mr. Driggers to adopt resolutions in which the County agrees to incur the necessary expense to install, operate and maintain flashing beacons at the following locations:

- 1) On "Signal Ahead" sign, north of the traffic signal,  
U.S. 41 north of Palmetto at 23rd Street.  
RECORD RESOLUTION S10-75
- 2) U.S. 301 at intersection with Rutland Ranch Road  
(CR 675) in Parrish; and  
S.R 70 at intersection with Singletary-Wauchula  
Road in Myakka City  
RECORD RESOLUTION S10-76

and authorize the Chairman to sign a letter (transmitting said resolutions) to Florida Department of Transportation. Motion was seconded by Mr. McGavic and carried unanimously.

The County Administrator was instructed to research the possibility of installing a flashing light at the intersection of 15th Street E. and 30th Avenue E. in Samoset.

RECESS/RECONVENE

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

BUDGET AMENDMENTS

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

PARKS AND RECREATION

- 1) From: Parks and Recreation: Rents and Leases  
  
To: Transfer to PBR Capital Projects  
(Fishing Reefs) \$ 1,443.00  
RECORD RESOLUTION S10-77

and to provide for the receipt and appropriation of unanticipated revenues from various sources:

- 2) Increase Revenue:  
Transfer from General Fund  
  
Increase Expenditure:  
Fishing Reefs 1979-80 Rents and Leases \$ 1,443.00  
RECORD RESOLUTION S10-78

Upon motion by Mr. McGavic, seconded by Mr. Driggers, a resolution was unanimously adopted to amend the 1979-80 budget to provide for the receipt and appropriation of unanticipated revenues as follows: (from various sources)

TRANSIT

- 3) Increase Revenue:  
Transfer from General Fund  
  
Increase Expenditure:  
Transit: Equipment \$ 3,400.00  
RECORD RESOLUTION S10-79

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

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HUMAN SERVICES

4) From: Reserve for Contingency

To: CCE Manatee County Community Mental  
Health Center Contributions & Donations \$10,201.00  
RECORD RESOLUTION S10-80

Upon motion by Mr. McGavic, seconded by Mr. Driggers, a resolution was unanimously adopted to amend the 1979-80 budget to provide for the receipt and appropriation of unanticipated revenues as follows: (from State of Florida)

5) Increase Revenue:  
LEAA Pathways JF-79-18-7901

Increase Expenditure:  
Pathways JF-79-18-7901 Contracted Services \$42,440.00  
RECORD RESOLUTION S10-81

MATERIALS AND SERVICES

By memorandums dated July 28, 29, and August 1, 1980, Gary Knuckles, Director of Materials and Services Department, recommended (Enter Mr. Parrish)

UTILITIES

- \* 1. Bid 80-56 Switchboard for Wastewater Treatment Plant  
a. Award to Hughes Supply, based on delivery and no exceptions to the bid, for total sum of \$39,459. (Letter of justification from Utilities Director re: time factor in delivery and expensive modification on exception by low bidder.)

Motion was made by Mr. McGavic to approve Bid 80-56 as outlined in memorandum dated July 28, 1980. Motion was seconded by Mr. Driggers and carried unanimously.

2. Bid 80-78 Billing Envelopes - Annual Bid  
a. Award to lowest responsible bidder meeting specifications and conditions of the bid, Atlantic Envelope Company, for the total sum of \$8,135.40.

Motion was made by Mr. Driggers to approve Bid 80-78 as outlined in memorandum dated July 29, 1980. Motion was seconded by Mr. McGavic and carried unanimously.

HUMAN SERVICES

3. Bid 80-79 Addition to Samoset Multi-Purpose Center  
a. Award to the lowest responsible bidder meeting specifications and conditions of the bid, Inter-City Construction Corporation, in the amount of \$77,737, along with their Alternate No. 2 in the amount of \$5,810.

Motion was made by Mr. Driggers to approve Bid 80-79 as outlined in memorandum dated August 1, 1980. Motion was seconded by Mr. McGavic and carried unanimously.

PARKS AND RECREATION BOARD: MEMBERS

Following recommendations of Mayor Evers, City of Bradenton, (outlined in letter dated July 29, 1980) and the Parks and Recreation Board, motion was made by Mr. McGavic to appoint James Barfield and reappoint Colonel Warren Johnson (four year term) to the Parks and Recreation Board. Motion was seconded by Mr. Driggers and carried unanimously.

PUBLIC SAFETY COMPLEX

Motion was made by Mr. McGavic to authorize the Chairman to sign a letter to W. R. Frizzell Architects, Inc., authorizing work necessary to provide working drawings for the Manatee County Public Safety Complex Project at a cost not to exceed \$60,000 without additional authorization from the Board of County Commissioners. Motion was seconded by Mr. Driggers and carried unanimously.

\* Switchboard also referred to as "Switchgear"

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The County Administrator advised that a budget amendment resolution will be forthcoming.

BONDS: SUBDIVISION

Motion was made by Mr. Driggers and seconded by Mr. McGavic to release the Performance Bonds and accept the streets and drainage improvements for County maintenance in subdivisions:

- 1) Ellenton Acres, \$3,559.60, Project No. 2021
- 2) Palm Aire Unit 6, \$10,000, Project No. 2038

Following question as to whether the Ellenton Acres project has been completed, motion and second were withdrawn and the Ellenton Acres bond was deferred until later in the meeting.

PALM AIRE SUBDIVISION, UNIT 6

Based on the certification of Mosby Engineers Association, Inc., the Engineer of Record for the project and inspections by the Highway Department, motion was made by Mr. Driggers that the Palm Aire Unit 6 Subdivision Bond be released and the streets and drainage improvements for the project be accepted for County maintenance.

TRAFFIC SIGNAL MAINTENANCE AND OPERATION ORDERS

Motion was made by Mr. Driggers to authorize the Chairman to sign the following Florida Department of Transportation Traffic Signal Maintenance and Operation Orders

- No. 6 - SR 683, US 301, Sec. 13120 at 57th Avenue -  
M.P. 4.125 - 3 phase fully actuated controller
- No. 7 - SR 684, Sec. 13040 at 75th Street West - M.P. 3.971  
3 phase fully actuated controller

Motion was seconded by Mr. Parrish and carried unanimously.

PERSONNEL DIRECTOR

The County Administrator announced that Frank Gilbert of the Personnel Office has been designated as acting Personnel Director.

MATERIALS AND SERVICES

By memorandum dated August 1, 1980, Gary Knuckles, Director of the Materials and Services Department, recommended

- 1) Hospital Consultants - RFP 80-60
  - a. Begin contract negotiations as ranked below:
    - 1) Peat, Marwick, Mitchell & Co.
    - 2) John G. Steinele & Associates
    - 3) Herman Smith Associates

Motion was made by Mr. Parrish to accept the ranking order of the firms and to authorize contract negotiations to begin with the top ranked firm, Peat, Marwick, Mitchell & Company. Motion was seconded by Mr. McGavic and carried unanimously.

ANNA MARIA ISLAND BEACH EROSION CONTROL CONSTRUCTION PROJECT

Motion was made by Mr. Fortson to authorize the Chairman to sign a letter to the Department of Environmental Regulation providing information on the status of the Anna Maria Island Beach Erosion Control Construction Project. Motion was seconded by Mr. Driggers and carried unanimously.

PARKS AND RECREATION DIRECTOR

The County Administrator submitted a letter dated August 1, 1980, from John Marble, Director of Parks and Recreation Department, requesting retirement, effective September 30, 1980.

Motion was made by Mr. Driggers to accept the letter. Motion was seconded by Mr. Parrish and carried unanimously.

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PROPERTY APPRAISER/INSURANCE

The County Administrator requested that Requests for Proposals be obtained for property appraisal services in order that County property (including buildings, furnishings, vehicles) may be properly insured at the appraised value. He advised that it would cost approximately \$16,000 for such services.

Motion was made by Mr. Fortson to proceed in the hiring of an appraiser. Motion was seconded by Mr. McGavic and carried unanimously.

COUNTY AUDIT: WHITCOMB & CHRISTOPHER CONSORTIUM AGREEMENT

The County Administrator submitted a proposal from Whitcomb & Christopher, as lead firm, to form a consortium with Arnold & Company, and Valdes, McLain, Pratt and Company, for the purpose of conducting an examination of the financial statements of Manatee County, the Constitutional Officers of Manatee County, and the Manatee County Utilities System for the year ended September 30, 1980, for a fee not to exceed \$135,000.

Refinements not mentioned in the letter of engagement were outlined with comment that all parties are aware that

- 1) CETA auditing work includes compliance audit along with the financial audit
- 2) Utilities System audit shall include separate statements to comply with the bond covenants and
- 3) the County will copy materials

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

RECORD LETTER AGREEMENT

S10-82

SAMOSET MULTI-PURPOSE CLINIC

Mr. McGavic relayed complaints by contractors that West and Conyers was charging \$100 deposit for plans and that the fee, or any portion, was not being returned.

The County Administrator advised that the complaints would be investigated.

BOND: SUBDIVISION (ELLENTON ACRES)

The Ellenton Acres Performance Bond was deferred pending the Highway and Engineering Director reviewing the project for completeness.

BUDGET AMENDMENTS

The Highway Director outlined the projects that are being recommended for construction from surplus gas tax funds. As to requested budget amendments for item to item transfers, he explained that funds from underexpended projects are being transferred to projects requiring additional funding and to provide funds for design costs on two new projects.

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

HIGHWAY

- 1) From: SR 64 @ 26th St. W; SR 64 @ 43rd St;  
US 41 @ 63rd; Ellenton Bank Drain;  
9th Ave. NW @ 72nd St; Shorelands  
Subdivision; 46th Ave. W; 66th Ave. W

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TO: 9th Ave. E @ 26th Ave. E; CETA Sidewalk  
Project; Canal Road; 59th St. W; 45th St. E.  
44th Ave to SR 70; 33rd St. E; 30th St. E;  
Bayshore & 63 Connector; Winter Garden  
Drive; Eagles Nest Road; 81st St. NW;  
37th Ave. W. from 32nd to Dead End;  
60th Ave. Terr @ 12th; 82nd St. from  
17th Ave. to 19th Ave. NW; 67th Ave.  
E. from 301 to 20th St. E; Victory Road \$157,446.00  
RECORD RESOLUTION

S10-83

Upon motion by Mr. Fortson, seconded by Mr. Driggers, resolution was unanimously adopted amending the 1979-80 budget by the following item to item transfers:

2) From: 45th St. E. - 44th to 26th Ave;  
30th St. W. - 46th Ave. to Cortez;  
46th Ave. 100th to 102nd; 71st St. NW

To: 5th St. W. at Cortez; Oneco Road; 59th  
St. at Manatee; 51st St. at Manatee \$ 29,207.00  
RECORD RESOLUTION

S10-84

Motion by Mr. Driggers to adopt a resolution in the amount of \$392,454 to amend the current 1979-80 budget, with the deletion of an item in the amount of \$153,318, was withdrawn.

Upon motion by Mr. Driggers, seconded by Mr. McGavic, resolution was unanimously adopted amending the 1979-80 budget to provide for the receipt and appropriation of unanticipated revenues as follows:

3) Increase Revenue:  
5 & 6 Cent Gas Tax

Increase Expenditure  
Oneco Road Phase I; 26th Ave. E;  
Upper Manatee River Road; Gas Tax  
Contingency

\$392,454.00  
RECORD RESOLUTION

S10-85

UTILITIES SYSTEM

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

4) From: Drainage: Operating Supplies

To: Transfer to Capital Project \$ 25,153.00  
RECORD RESOLUTION

S10-86

5) From: Reserve for Contingency

To: Transfer to Highway \$ 7,588.00  
RECORD RESOLUTION

S10-87

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

6) Increase Revenue:  
Transfer from General Fund; Transfer from Highway

Increase Expenditure:  
Canal South of Warners Bayou

\$ 32,741.00  
RECORD RESOLUTION

S10-88

WHITFIELD ESTATES (SUNSET DRIVE)

Mrs. Glass advised that public information will be made available to Mr. (John) Hall in connection with his request for proof that certain land had been vacated in the area of Scott Avenue in Whitfield Estates.

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LAWSUIT: W. R. GRACE

The County Attorney submitted request, by letter dated August 4, 1980, for authorization to attend and participate in court hearings, negotiate possible settlements and render professional services necessary to protect the interest of the County

Re: W. R. Grace & Company vs. Manatee County, the Members of the Board of County Commissioners, Charles Carrington as Director of the Planning and Development Department and James A. Gardner as the State Attorney, Case No. CA-80-1479 in the Circuit Court of Manatee County, Florida

Motion was made by Mr. Driggers to authorize the office of Mann and Fay to represent the County. Motion was seconded by Mr. Fortson and carried unanimously.

LAWSUIT: ESTECH GENERAL CHEMICALS CORPORATION

The County Attorney submitted a letter dated August 4, 1980, from Baya Harrison, III, of the firm of Fuller and Johnson

Re: Estech General Chemicals Corporation vs. Manatee County, et al, Case No. 79-1994

together with a Recommended Order in which the Hearing Officer recommended approval of Estech's proposed mining operations.

The County Attorney recommended that he and Mr. Harrison proceed in protesting the recommended order and requesting that the County's original decision be upheld.

Motion was made by Mr. Fortson to authorize the County Attorney and Mr. Harrison to proceed as outlined in letter dated August 4, 1980. Motion was seconded by Mr. Driggers and carried unanimously.

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Fortson, seconded by Mr. Driggers the Clerk's Consent Calendar dated August 5, 1980 was unanimously approved as follows:

BOND:

Approve: Driveway Permit No. 7420, Delesline Construction,  
Surety: American Fire & Casualty Co, \$300.00

BILLS FOR PAYMENT:

Manatee Memorial Hospital (OB Clinic)	\$ 2,875.84
Manatee Memorial Hospital (Welfare)	4,213.76
Refund: Hertha Lange (Unclaimed Tax Certificate)	117.82
Manatee County Sheriff (Gun Permit Program)	20.00
The Crom Corporation (Final Est. Proj 630-671-04)	75,056.49

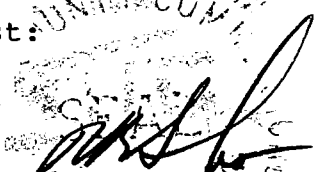
WARRANT LISTS:

Approve Warrant Lists from July 29 through August 5, 1980.  
Also, authorize Warrant Lists from August 5 to August 12, 1980.

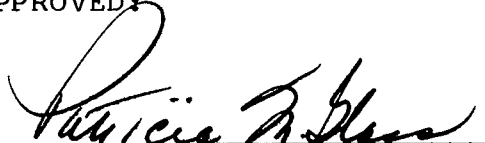
MEETING ADJOURNED

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

Attest:

  
Clerk

APPROVED:

  
Chairman

Adj: 11:56 a.m.