

AUGUST 7, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Thursday August 7, 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. Alan Brett, The Church of the Cross.

The meeting was called to order by Chairman Glass.

REWARD - HOLMES BEACH, ANNA MARIA ISLAND MURDERS

Motion was made by Mr Driggers and seconded by Mr Parrish to authorize the Sheriff to act as Agent for the Board and offer \$10,000 reward for information leading to the arrest and conviction of the murderer of four people in Holmes Beach, Anna Maria Island, August 2, 1980. Motion carried unanimously.

PERSONNEL - MANNING LEVELS AMENDED

Upon motion by Mr Driggers, seconded by Mr Parrish, resolution was unanimously adopted for the purpose of correcting inadvertent omission of the position of "Chief - Land Acquisition" from previous resolution consolidating the Right-of-Way Department into the Highway and Engineering Department, and to transition two Emergency Medical Technician Trainees from CETA into the County regular employee system:

	Authorized No. of Employees		Department	
	From	To	From	To
Highway and Engineering				
Chief - Land Acquisition	0	1	200	201

RECORD RESOLUTION

Emergency Medical Services

Emergency Medical Technician Trainee	0	3	56	59
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RECORD RESOLUTION

CIVIL DEFENSE - HURRICANE ALLEN

William Kuhn, Acting Civil Defense Director, reported that it appeared that there was little likelihood that this area will suffer any ill effects from Hurricane Allen. He commented on evacuation procedures, animal control, local Civil Defense communications and reported that the Florida Highway Patrol and Red Cross have been added to the local Civil Defense area radio network.

RECESS/RECONVENE

The meeting was declared recessed for the purpose of convening as the Manatee County Port Authority (regular session).

The Board reconvened at 10:41 with all members present.

AUGUST 7, 1980

Cont'd

W. R. GRACE COMPANY - CH2M HILL, CONSULTANTS

In connection with the recent violation citation given the W.R. Grace Company Four Corners Mine, Bob Rile, Planning and Development Department, advised that Grace has drafted a proposed Agreement for consideration by the County, comprehensively setting out a list of pre-mining activities the County might find to be permissible prior to the issuance of an operating permit.

The Planning Staff, having reviewed the Agreement, agrees with the practicality of having, in detailed form, what pre-mining activities can be conducted. CH2M Hill, Consultant Engineers, are reviewing the operating permit application, and Staff recommends they also review this pre-mining Agreement. He suggested the fee be limited to \$2,000.00.

Motion was made by Mr Driggers to authorize CH2M Hill to assist the Planning Department in reviewing the Agreement for a one-week period at a fee not to exceed \$2,000.00. Motion was seconded by Mr Fortson and carried unanimously.

COMPREHENSIVE PLAN - ZONING ORDINANCE ENFORCEMENT POLICY

Bob Rile submitted the Comprehensive Plan Discussion Paper III, Zoning Ordinance Enforcement Policy, and made an overview presentation, outlining the major issues:

- I Current Enforcement Policy,
- II Enforcement Issues
- III Enforcement Alternatives

The four proposed alternatives being:

- a. Status Quo: Enforcement Upon Complaint
- b. Total Systematic Enforcement
- c. Systematic Enforcement of Specific Problem Areas
- d. Civil vs Criminal Enforcement

The Planning staff recommended systematic enforcement of specific problem areas.

Following discussion, Mr Driggers moved to instruct the Planning Staff and the County Attorney to make a study of the situation and submit recommendations for systematic enforcement and an alternative to the present legal system. Motion was seconded by Mr Parrish and carried unanimously.

ZONING ORDINANCE - Z-118 TEXT AMENDMENT (COMMERCIAL DISTRICT)

Bill Swan, Planning and Development Department, submitted and requested authorization to advertise a public hearing on the proposed text amendment of Section V of the Manatee County Zoning Ordinance as follows:

I. -C- NEIGHBORHOOD COMMERCIAL DISTRICT

- A. Paragraph B-1 shall be changed to read:
  - 1. All uses listed under Paragraph 1A, "USES PERMITTED", in the R-3 District, subject to all the requirements of the R-3 District, except that multi-family structures shall not exceed thirty-five (35) feet in height, and all uses listed under Paragraph A, "USES PERMITTED" in the PR District, subject to the requirements of the PR District.
- B. Add to Paragraph C:
  - 12. Multi-family dwellings subject to the requirements of the R-3 District.

II. C-1A - HIGHWAY BUSINESS DISTRICT

- A. Paragraph B-1 shall be changed to read:
  - 1. Single family or multi-family dwellings subject to the requirements of the R-3 District, except that multi-family structures shall not exceed thirty-five (35) feet in height.

B. Add to Paragraph C:

13. Multi-family dwellings subject to the requirements of the R-3 District.

Mr Swan advised that the Planning Commission recommends an additional "across the board" amendment to include the thirty-five (35) feet height limitation in all zoning districts.

Action was deferred to allow the County Attorney to research the Special Act (Re: the "across the board" amendment) and report his findings to the Board at the next regular meeting, Tuesday, August 12, 1980.

COMPREHENSIVE PLAN - ENACTING ORDINANCE

During discussion on the draft Ordinance To Enact The Manatee Comprehensive Plan, clarification was made by Bob Rile that, while the Capital Improvements Program is included in the draft, it does not pertain to the proposed Zoning Ordinance or the proposed Subdivision Regulations.

He requested authorization to hold a preliminary public hearing, on or about September 1, 1980, on the Land Use Element (reflecting minor changes), the Intergovernmental Coordination Element, the Enacting Ordinance, Plan Administration and the CIP Administration Elements.

He referred to discussion concerning possibility of setting County policy with the Comprehensive Plan by adopting the Plan and allowing several months for that policy to be incorporated in the draft Zoning Ordinance with all of them essentially becoming effective at the same time. This is the normal process in adopting Comprehensive Plans, because the Statute does not allow for a grace period in which to enact the Zoning Ordinances.

There were no objections to suggestion by Chairman Glass that a date no later than November 1, 1980 be set for adoption of the Comprehensive Plan with an implementation date of January 1, 1981.

Mr Fortson moved to authorize public hearing on the documents as requested. Motion was seconded by Mr Driggers and carried unanimously.

MATERIALS AND SERVICES

Recommendations of the Materials and Services Department were submitted by Gary M. Knuckles, Director, in memorandum dated August 1, 1980.

Utilities

1. Bid 80-57(a) - Portable Electric Generator, 60KW, 75KVA, (Power system standby)
  - a. Award to lowest responsible bidder meeting specifications and conditions of the bid Tampa Armature Works, Inc for a total sum of \$17,800.00

Motion was made by Mr McGavic to approve Bid 80-57. Motion was seconded by Mr Parrish and carried unanimously.

ELLENTON ACRES SUBDIVISION - BOND; ROADS

At the request of Mr Parrish, Release of the performance bond and acceptance of roads and improvements in Ellenton Acres Subdivision was deferred until the following Tuesday, August 12, 1980.

AUDIT - PARKS AND RECREATION

The County Administrator circulated for review by the Board a letter and Audit Report from the Department of Natural Resources regarding a refund to the State of Florida in the sum of \$33,335.47 in connection with recreational grants made by that department to Manatee County.

AUGUST 7, 1980

Cont'd

PERSONNEL - VARNER GRIEVANCE

The County Administrator reported that a waiver of Step 3 of the Grievance Hearing Procedure (appearance before the Personnel Review and Advisory Board), requested by Ralph Varner, Sr., is not being granted.

FLORIDA CITY AND COUNTY MANAGEMENT ASSOCIATION

The County Administrator, announced that he has been invited to serve on a Committee of the Florida City and County Management Association, and will probably be taking approximately two trips per year. There were no objections.

HIGHWAY AND ENGINEERING - DIRECTOR (ACTING)

The County Administrator announced that Phil Davis, Director of Transportation Department, has been designated Acting Director of Highway and Engineering Department, upon resignation of Harry Ely, Jr, effective August 8, 1980. There were no objections.

UTILITIES: 36" WATER LINE (I-75 & SR 70)

Based on recommendations of the Director of the County Utilities Department and the County Attorney, motion was made by Mr Driggers and seconded by Mr Parrish to approve and authorize execution of final documents and make final payment to Cone Brothers Construction Company, on Project 630-781-01-4, 36" water and sewer pipe lines at I-75 and State Road 70:

Final Estimate No. 4 - 36" Water Line - \$127,486.22  
Final Reconciliation Agreement  
Final Release of Lien  
Final Change Order No. 1

Motion carried unanimously.

ESTECH - PERMIT APPLICATION: (EPA)NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Motion was made by Mr Driggers and seconded by Mr Fortson to authorize the County Attorney to attend and participate in a Florida Department of Environmental Regulation public hearing in Tallahassee, September 16, 1980, and take such other action as may be appropriate to protect the interests of the County,

RE:

National Pollutant Discharge Elimination Systems (NPDES) Permit Application by Estech General Chemicals Corporation in connection with proposed phosphate mining operations

Motion carried unanimously.

UTILITY EASEMENT (TAMBURO)

Motion was made by Mr Driggers to accept and record a non-exclusive utility easement from

Peter A. Tamburo, as Trustee.

Motion was seconded by Mr Parrish and carried unanimously.

AAU TRACK MEET - REQUEST FOR FUNDS

In connection with a request (Tuesday, 8/5/80) for funds to assist members of the AAU Track Meet team to travel to California to participate in an athletic event, the County Attorney reported that this comes under non-County activities, and research did not reveal any legal authority for funding.

CLERK'S CONSENT CALENDAR (AUGUST 7, 1980)

Upon motion by Mr Fortson, seconded by Mr Driggers, the Clerk's Consent Calendar dated August 7, 1980, was unanimously approved as follows:

BONDS

Driveway Permit - RELEASE: John R. Davis, Permit No. 3229, \$250.00

AUGUST 7, 1980

Cont'd

AUTHORIZE THE CHAIRMAN TO SIGN:

Change Order No. 1 - Increase \$8,769.00

Contract: Crom Corporation

Project 630-671-04 Waste Treatment Facilities

Interim Improvements, Section I

APPROVE, RATIFY AND CONFIRM SIGNATURE OF CHAIRMAN

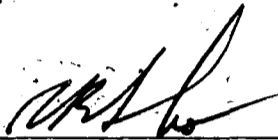
Admission of Richard L. Rezin to A. G. Holley State Hospital.

MEETING ADJOURNED

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

Attest:

APPROVED:



Clerk



Chairman

Adj: 12:30