

AUGUST 19, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, August 19, 1980 at 9:02 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. K. D. Baar, Redeemer Lutheran Church.

The meeting was called to order by Chairman Glass.

AIRPORT AUTHORITY

Mr. McGavic reported that in a recent meeting of the Citizens Advisory Committee for the Airport Authority, there was discussion that a referendum would be required if the airport needs to be moved; that studies being conducted by the Federal Aviation Administration indicate that it should be relocated.

The County Attorney was instructed to review legislation to determine if a referendum is required to relocate the airport. This will be an item on the Agenda of September 2, 1980.

PARADISE BAY TRAILER PARK/TWIN ISLES ESTATES SUBDIVISION:  
COUNTY MAINTAINED ROADS

By previous resolutions the County had accepted for maintenance all streets, avenues and highways shown on the plat of Twin Isles Estates Subdivision, Unit I (Paradise Bay Trailer Park). The County attorney advised that it has been determined that those resolutions are incorrect and the attorney for the property owners will be submitting a resolution clarifying which roads should be accepted for County maintenance.

REX ROAD (NON-COUNTY MAINTAINED)

Residents on Rex Road, located off Singletary Road in Eastern Manatee County, requested the Board take action to improve Rex Road (which is a dirt road, not owned or maintained by the County) to a passable condition. Their request was for a one-time operation using hardpan or shell, fill, etc.

Upon motion by Mr. Parrish, seconded by Mr. Driggers, the Highway Department was authorized to improve the road on a one-time basis. Motion carried unanimously.

TRANSIT: NON-DISCRIMINATION OF TRANSPORTATION FOR THE HANDICAPPED

By memorandum dated August 6, 1980, Philip Davis, Director, Department of Transportation, requested authorization for the Chairman to sign a letter to Congress supporting the "Cleveland Amendment" to HR-6417, "Surface Transportation Act of 1980". The amendment allows units of local government some leeway in addressing Section 504 - Non-Discrimination of Transportation for the Handicapped. He stated that U.M.T.A. has interpreted Section 504 to mean that all buses must have handicap accessibility.

Motion was made by Mr. Fortson that the Board endorse the amendment and authorize the Chairman to sign a letter to Congress. Motion was seconded by Mr. Parrish and carried unanimously.

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ZONING

Marty Jacobs, Planning and Development Department, submitted request

R-80-44 JAMES H. ANDREWS - REZONE TO T-3 - APPROVED  
(Deferred from 8/14/80 to permit site inspection)

Tom McCollum, Attorney, was present to answer any questions and pointed out the proposed travel trailer park would be of higher quality than the minimum required code.

An unsigned letter, dated August 18, 1980, pointing out flaws in the petition of opposition submitted on 8/14/80, was provided each Board member; however, it had no effect since the origin of the letter was not identified.

Mrs. Charles Hayes, spoke in opposition to the rezone.

Speaking in favor of the rezone was Willie West, who lives adjacent to the property in question. He submitted a petition in favor of R-80-44.

Mr. McGavic moved to approve R-80-44 (by adoption of the appropriate resolution). Motion was seconded by Mr. Driggers and carried unanimously.

RECORD RESOLUTION zoning

GARBAGE: ILLEGAL DUMPING

Robert Hartshorn, Pollution Control Department, reported that he had met with the United States Brewers Association (which provides funds to clean-up the environment of the Country), and also with Sheriff Burton, in an effort to determine effective measures to prevent illegal dumping in Manatee County. The Sheriff had concurred with recommendation that monies be provided to that Department to set up a separate division or patrol to investigate, trace and police the entire area for any illegal dumping, and estimated that \$25,000 per year would cover the cost of one man and one car used totally for pollution control.

Mr. Hartshorn recommended that funds be made available immediately to enable the Sheriff to hire at least one full-time person to investigate and follow up on all illegal dumping in the County and that consideration be given to having two special deputies with arrest powers and cars to police the areas countywide.

Upon implementation of the program the Sheriff will release memos alerting the entire Sheriff's Department, patrol division and traffic division to illegal dumping, which can be immediately followed up by the special officer.

Discussion followed regarding utilizing the Work Release Program (or other methods) for this project, questions on legality of removing debris from private property, fines and penalties, etc., authority of deputy to issue citations and provisions of existing ordinances.

Upon motion by Mr. Parrish, seconded by Mr. McGavic, the County Administrator was instructed to contact the Sheriff's Department to prepare the necessary budget amendment authorizing the hiring of a law enforcement officer to handle illegal dumping.

For clarification, the Board members concurred they would approve a budget amendment for approximately \$25,000 for the Sheriff's Department when it is presented.

Motion carried unanimously.

RECESS/RECONVENE

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

DOUBLE TAXATION: CITIES OF BRADENTON/BRADENTON BEACH

The County Attorney submitted

- 1) RESOLUTION OF THE COUNTY OF MANATEE, FLORIDA,  
RESPONDING TO RESOLUTION NO. 80-43 OF THE  
CITY OF BRADENTON, FLORIDA
- 2) RESOLUTION OF THE COUNTY OF MANATEE, FLORIDA  
RESPONDING TO RESOLUTION NO. 366 OF THE CITY  
OF BRADENTON BEACH, FLORIDA

rejecting petitions in Resolutions No. 80-43 and No. 366 for double taxation relief. He explained that the resolutions indicate that the Clerk's office, the Finance Officers of the cities, Budget Officer of the County, et al, are working out allocation methods for this year, which, if approved, settles the double taxation issue.

Motion was made by Mr. Fortson and seconded by Mr. McGavic to adopt the resolutions responding to City of Bradenton and City of Bradenton Beach. Motion carried unanimously.

RECORD RESOLUTIONS

S10-107  
S10-108

MATERIALS AND SERVICES

By memoranda dated August 15 and 18, 1980, Gary M. Knuckles, Director, Materials and Services, requested approval of the following:

UTILITIES

- 1) Water System Supplies & Materials - Semi-Annual Bid - No. 80-80
  - a. Award to lowest responsible bidders meeting specifications and conditions of the bid:
    - American Cast Iron Pipe Company
    - B & H Sales
    - Banks Supply Company
    - Clow Corporation
    - Davis Meter & Supply
    - Hughes Supply, Inc.
    - Palmetto Pump Company
    - Riverview Utilities Supply
    - Sav-On Utilities
    - Southeastern Municipal Supply
    - Underground Supply Company

Motion was made by Mr. Fortson to approve Bid No. 80-80. Motion was seconded by Mr. Driggers and carried unanimously.

- 2) New Waterworks Laboratory Building - Bid No. 80-76
  - a. Authorize Chairman to execute contract with Inter-City Construction Corp., \$147,000, and accept Performance-Payment Bond, \$152,000 (Surety: Integon Indemnity Corp.)

Motion was made by Mr. Driggers to approve Bid No. 80-76 and accept the bond. Motion was seconded by Mr. Fortson and carried unanimously.

RECORD CONTRACT

S10-109

AGRICULTURAL CENTER BUILDING

- 1) Partial Repair/Replacement of Roof - Bid No. 80-73
  - a. Award to lowest responsible bidder meeting specifications and conditions of bid, G. T. Bray Roofing, \$6,100. (Lowest bidder, Approved Roofing, took exception to bid requirements)

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Upon motion by Mr. Parrish, seconded by Mr. McGavic, Bid No. 80-73 was awarded to lowest responsible bidder meeting specifications and conditions of bid. Motion carried unanimously.

PARKS & RECREATION: COUNTY NURSERY MATERIALS

Mr. Driggers moved to adopt a

RESOLUTION ESTABLISHING POLICY AND PROCEDURES  
FOR GRANTING REQUESTS FOR NURSERY MATERIALS FROM  
THE MANATEE COUNTY NURSERY

Motion was seconded by Mr. McGavic and carried unanimously.

RECORD RESOLUTION

S10-110

SOIL SURVEY UPDATE (U.S. DEPT. OF AGRICULTURE):

MEMORANDUM OF UNDERSTANDING

Mr. Driggers moved to authorize the Chairman to sign the U.S. Department of Agriculture National Cooperative Soil Survey Memorandum of Understanding relative to updating the Soil Survey in Manatee County (#081).

Motion was seconded by Mr. Parrish and carried unanimously.

RECORD

S10-111

LEGISLATION: GENERAL REVENUE SHARING

The County Administrator requested authority for staff to prepare a letter for the Chairman's signature (to U.S. Congressman Ireland) supporting Report of the House Government Operations Committee regarding House Bill 7112 which recommends continuation of the current funding formula used for local revenue sharing.

Upon motion by Mr. Driggers, seconded by Mr. McGavic, staff was authorized to prepare a letter for the Chairman's signature supporting current funding formula used for local revenue sharing. Motion carried unanimously.

HOLMES BEACH TRAFFIC SIGNAL MAINTENANCE & INSTALLATION AGREEMENTS

Mr. Fortson moved to approve the

TRAFFIC SIGNAL INSTALLATION AGREEMENT  
AND  
TRAFFIC SIGNAL MAINTENANCE AGREEMENT

between Manatee County and the City of Holmes Beach providing for the operation of certain traffic signals at the intersection of County Road 789 and Marina Drive.

Motion was seconded by Mr. McGavic and carried unanimously.

RECORD AGREEMENTS

S10-112

AERIAL MAPS: PROJ. MANASOTA BASIN, BRADEN RIVER

The County Administrator submitted for approval an

AGREEMENT FOR REPRODUCTION OF SOUTHWEST FLORIDA  
WATER MANAGEMENT DISTRICT COPYRIGHTED AERIAL MAPS

to be purchased, for the sole use of the Highway and Engineering Department, on the area described as Project Manasota Basin - Braden River. He reported the County would be charged \$1,400.00 for the maps and that the District is requesting the County not to provide copies of maps to private individuals or concerns.

Motion was made by Mr. Parrish to authorize the Chairman to sign the agreement with SFWMD. Motion was seconded by Mr. Driggers and carried unanimously.

RECORD AGREEMENT

S10-114

TRAVEL AUTHORIZATION (COLLIER)

Upon motion by Mr. Driggers, seconded by Mr. Parrish, the County Administrator was authorized to attend the Florida Innovation Group Committee Meeting, September 11 - 13, 1980, in Sanibel, Florida. Motion carried unanimously.

UTILITIES: RAMON A. PEREZ GRANTED LIMITED POWER OF ATTORNEY FOR SUMMARY OF CLAIMS

Mr. Fortson moved to adopt a

RESOLUTION GRANTING LIMITED POWER OF ATTORNEY FOR SUMMARY CLAIMS IN THE COUNTY COURT OF MANATEE COUNTY, FLORIDA

appointing Ramon A. Perez as the Accounting Supervisor of the Manatee County Utilities System as a true and lawful attorney-in-fact for the County of Manatee for claims or causes of action arising out of or in connection with the operation and maintenance of the Manatee County Utilities System.

Motion was seconded by Mr. Driggers and carried unanimously.

RECORD RESOLUTION

S10-115

INSURANCE CLAIM (LUKE A. LaCHANCE)

Motion was made by Mr. Driggers to authorize the County Attorney to represent the County (as recommended in letter dated August 18, 1980)

Re: Purported damages claim on behalf of Luke A. LaChance, individually and as surviving spouse and personal representative of the Estate of Eva J. LaChance, deceased, allegedly sustained on or about February 20, 1980, on Prospect Road

(due to condition or maintenance of said road by County).

Motion was seconded by Mr. McGavic and carried unanimously.

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Fortson, seconded by Mr. Driggers, the Board unanimously approved the Clerk's Consent Calendar dated August 19, 1980 as follows:

BONDS

Driveway Permit Release: John Cali - \$250.00  
Permit No. 7740

BILLS FOR PAYMENT

CH2M Hill Southeast, Inc. (Phosphate Mining Review)	\$ 6,160.61
Refunds: (OB Clinic)	
Sandra L. Zell	50.00
Sheila A. Bishop	50.00
Naomi D. James	50.00
Manatee Memorial Hospital (Welfare)	6,111.16
Wyman, Green & Blalock (Revised Gen. Liability Audit)	19,187.00
"    "    "    (Comp. Gen. Liability)	5,482.10
Mann & Fay (Estech)	1,576.57
Fuller and Johnson (Estech)	1,983.57
Mann & Fay (Small Farm Development)	1,532.70
Mann & Fay (W. R. Grace & Co.)	1,612.50

WARRANT LISTS

Approve Warrant Lists from August 12, 1980 to August 19, 1980, and to authorize Warrant Lists to August 26, 1980, said Warrant Lists to include any payrolls during that period upon condition that all employees have performed their services in accordance with time and payroll practices of the County departments.

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BUDGET AMENDMENT (SHERIFF)

Upon motion by Mr. Fortson, seconded by Mr. McGavic, Budget Amendment for fiscal year 1979-1980 was unanimously approved as follows:

SHERIFF'S DEPARTMENT

- 1) Correct Original Amendment for LEAA Organized Crime Intelligence Grant - \$155.00.
- 2) GHSC Selective Traffic Enforcement Program Grant - \$91,920.00
- 3) Investigations, monies received from fines paid per court orders - \$ 15,000.00
- 4) Transfer of Contingency Fund to Expenses Other than Salaries - \$10,000.00

Upon motion by Mr. Fortson, seconded by Mr. McGavic, resolutions were unanimously adopted to amend the 1979-80 budget to provide for the receipt and appropriation of unanticipated revenues:

VARIOUS SOURCES

Increase Revenue

Fines & Forfeitures

Increase Expenditure

Sheriff: Constitutional Officer's Budget \$15,000.00

RECORD RESOLUTION S10-116

and by item to item transfers:

SHERIFF'S DEPARTMENT

From: Reserve for Contingency

To: Sheriff (STEP)

\$16,883

RECORD RESOLUTION S10-117

MEETING ADJOURNED

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

Attest:

APPROVED:

  
 \_\_\_\_\_  
 Clerk

  
 \_\_\_\_\_  
 Chairman 9/30/80

Adj: 11:27 a.m.