

AUGUST 21, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Thursday, August 21, 1980 at 9:05 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:

Alan Prather, Associate County Attorney
Angie Brewer, Deputy Clerk, 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; Dave Priddy, WTRL; and others who entered during the meeting.

Invocation by Rev. L. R. Roberson, Church of God of Palmetto.

The meeting was called to order by Chairman Glass.

MANATEE TOURIST DEVELOPMENT COUNCIL REPORT: TOURIST TAX

Paul Bartley, Maurice Goodnight, and James Garrison, members of the Sub-Committee of the Manatee Tourist Development Council, were present to answer any questions concerning Report to the Council on recommendations of distribution of the estimated Tourist Tax income for the first two years.

The Sub-Committee recommended distribution of the estimated income of \$412,371 the first year and 20 percent increase the second year:

- 1) Direct Advertising - 50 Percent of Total
- 2) Convention Tourism Promotion - 10 Percent of Total
- 3) Welcome Station - 10 Percent of Total
- 4) Balance (To be used for other County Civic enterprises promoting Tourism) - 30 Percent of Total
- 5) Three percent of total goes to State for administration expenses of tax collected.

and that the Manatee Chamber of Commerce be authorized to disburse the monies in Items 1, 2 and 3 and carry out all of those activities with a quarterly and annual financial report to the Board of County Commissioners.

Discussion followed regarding whether the report meets Florida Statutes, requirement for a report from the full committee, declaration of the tax districts involved, exclusion of the island communities, itemizing priorities, including a referendum on the ballot for November, and requirement of placing the plan on the ballot within the Ordinance which must be advertised for public hearing.

(Depart Mrs. Glass; Mr. Parrish presides as Chairman.)

Marty Ervin, 5850 Gulf of Mexico Drive, Longboat Key, spoke in opposition to increasing the tourist tax.

Action was deferred to Tuesday, August 26, 1980, to afford the Associate County Attorney an opportunity to meet with the Sub-Committee regarding the technicalities involved in this matter.

ESTECH CHEMICALS CORPORATION/NPDES

R. A. Wilford, Director, Manatee County Utilities System, recommended utilization of CDM (engineer of record for MCUS) to conduct a comprehensive evaluation of the Estech Chemicals Corporation NPDES permit. He stated there are provisions in the

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contract for "other services" and that he was requesting approval of a complete evaluation of the Estech permit for the purpose of submitting testimony at the hearing scheduled for September 16, 1980. He requested, also, that the engineer be authorized to make the necessary study to provide information to MCUS that can be used in the reclassification of Manatee River from Class III to Class I-A.

Upon question, Mr. Wilford stated that although CH2M Hill is presently under contract to review W. R. Grace permit, it was determined that it would be more advisable to use CDM since they are the engineers of record and they are very familiar with this type of issue. He estimated the cost involved to be between \$3,000 and \$5,000.

Mr. Fortson moved to authorize the Utilities Director to negotiate a letter of agreement, based on the contract with CDM and to research the discharge permit. Motion was seconded by Mr. Driggers and carried unanimously.

PLANNING & DEVELOPMENT - COMPREHENSIVE PLANNING ASSISTANCE (GRANT)

Bob Rile, Planning and Development, submitted a proposed

RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING UNDER THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ASSISTANCE PROGRAM, AS ADMINISTERED BY THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS

and advised that the County could receive \$20,000 for LGCPA related activities and that a \$10,000 match would be required of the County.

The Associate County Attorney suggested the Resolution be amended to include the words "Now therefore be it resolved."

Motion was made by Mr. Fortson to adopt the Resolution as amended. Motion was seconded by Mr. Driggers and carried unanimously.

RECORD RESOLUTION

S10-118

MINE RECLAMATION: PROPOSED AMENDMENTS

Mr. Rile reported that the amendments to Chapter 16C-16FAC, Mine Reclamation, proposed by the Department of Natural Resources, do not reflect the prior direction of the Board that reclamation plans for a specific area must first be approved by the local government with jurisdiction pursuant to local mining regulations prior to approval by DNR. The matter is scheduled to be considered by the Governor and Cabinet at a public hearing, August 26, 1980, in Tallahassee. He submitted for the Chairman's signature a letter reiterating the Board's position regarding the proposed amendments.

Mr. McGavic moved to authorize the Chairman to sign the letter and that staff and Board members be allowed to attend the public hearing. Motion was seconded by Mr. Driggers and carried unanimously.

Mr. Fortson suggested that Mr. Rile be authorized to attend the meeting (as well as anyone else desiring to attend) and to contact the State Cabinet requesting that he be placed on the agenda. There were no objections.

COMPREHENSIVE PLAN DISCUSSION PAPER V: REVISION OF STANDARDS FOR ISSUANCE OF SPECIAL EXCEPTIONS

Discussion on the Comprehensive Plan Paper V: Revision of Standards for Issuance of Special Exceptions, was deferred for review when all Board members are present.

ZONING

Action was deferred on
80-PE-4 Sarasota-Manatee Airport Authority
(Private Easement)
SE-80-18 Sarasota-Manatee Airport Authority
(Speciality Restaurants Corp.)

MINING OPERATIONS (TAXING ORE MINED IN THE COUNTY)

Upon motion by Mr. Driggers, seconded by Mr. Fortson, the County Attorney was authorized to draft a Resolution (based on Columbia County Resolution) supporting the theory in the local option to impose a tax on minerals mined within the boundaries of the respective counties. Motion carried unanimously.

RECESS/RECONVENE

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

LAWSUIT: BRYANT ELECTRIC VS. MARSHALL MOBILEHOME PARK

The Associate County Attorney referred to a letter from Stephen K. Marshall, dated August 13, 1980, regarding "three-party settlement" in the Bryant Electric vs Marshall Mobilehome Park (Marshalls, Inc.) involving misplaced and exposed water line on the Marshall property and offer by Marshalls to exchange required easement for County-owned property lying directly North and adjacent to their property, and pointed out that the County is not in litigation with the Marshalls.

In a previous meeting the staff had been instructed to prepare a presentation to the Board so that a determination could be made as to whether the County has a present or future need for the property in question.

Steve Marshall, Vice President of Marshalls' Braden River Mobile Home Park, Inc., requested the Board entertain their proposal to "swap" land with the County and stated they would be willing to pay any difference in the value of the land.

The County Administrator was instructed to research the need for, and the value of, land (easement) in dispute.

CLERK'S CONSENT CALENDAR

Upon motion by Mr. McGavic, seconded by Mr. Driggers, the Clerk's Consent Calendar dated August 21, 1980 was unanimously approved as follows:

BILLS FOR PAYMENT

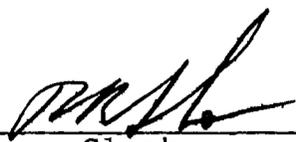
Mann & Fay (Pierce vs. DiLalla, et al)	\$162.50
Mulock & Farrance (Pollution Control Dept. thru 7/31/80)	543.00
Refunds:	
Ada Sue Elliott (Library: lost book)	9.95
James W. Roberts (Fee for zoning change)	80.00

MEETING ADJOURNED

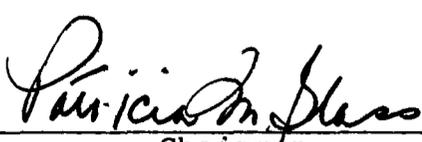
There being no further business, the meeting was declared adjourned.

Attest:

APPROVED:



Clerk



Chairman

Adj: 10:55 a.m.