

SEPTEMBER 18, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Thursday, September 18, 1980 at 9:06 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
Richard H. Ashley, Chief Deputy Clerk, representing
R. B. Shore, Clerk of Circuit Court

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

Invocation by Rev. Donald Brady, Congregational United Church of Christ.

The meeting was called to order by Chairman Glass.

ZONING: PALMA SOLA AREA

Mr. Fortson referred to consideration that had been given to rezoning lands in the Palma Sola area to R-1C classification, which would upgrade to a larger lot size, and questioned the legal position of the Board if it initiated rezones on land, developed and undeveloped, presently zoned R-1B.

Dolly Young, 7703 - 17th Ave. N.W., requested the Board to consider upgrading the zoning in the entire area (9th Ave. NW all the way to the river and over to Palma Sola Bay and then to 75th St.) to R-1C. She referred to overcrowded conditions in the three schools in the area and the existing traffic congestion.

The County Attorney outlined the methods that can be used to initiate a rezone and cautioned the Board that problems may exist with rezones already in process.

The Planning staff was instructed to map the area under discussion, outlining the zoning on developed and undeveloped land, for presentation to the Board on September 30, 1980.

SPECIAL PORT AUTHORITY MEETING

Mr. Driggers announced that a Special Port Authority meeting will be scheduled for 9:00 a.m., September 25, 1980, to discuss a resolution for approving a document prepared by Gee and Jenson.

EGMONT KEY: SPOIL FROM DREDGING (ST. PETERSBURG)

Mr. Driggers reported that a firm in St. Petersburg intends to dump spoil off Egmont from dredging operations and there is concern that it could wash to the local beach areas.

Action was deferred until the Pollution Control Director could be present to discuss the matter.

49TH AVE. E./ZONING

Orie Williams, 936 - 49th Ave. E., Bradenton, requested the Board to nullify action taken on September 11, 1980 regarding R-80-52, rezone to R-1B. He stated that this rezoning constitutes a non-conforming purpose and represents spot zoning.

Upon being advised by the County Attorney that in order for the Board to take any action it would be necessary to follow all procedures for rezoning under the Manatee County Zoning Ordinance, Mr. Williams withdrew his request.

HUMAN SERVICES

By memorandum dated September 15, 1980, requests of Human Services Department were submitted as follows:

- 1) Authorize Chairman to execute contract with Whitcomb and Christopher to provide audit of CETA program for fiscal years 1978 through 1980.

RECORD CONTRACT S10-161

- 2) Authorize Chairman to execute Community Services Trust Fund Grant Agreement, \$18,856 (\$9,428 State funds, \$7,904 local cash match, \$1,524 local in-kind match) for operation of legal aide program for low-income residents, 10-1/80-9/30/81.

RECORD AGREEMENT S10-162

** State of Florida Department of Community Affairs*
Motion was made by Mr. Driggers to approve the requests. Motion was seconded by Mr. Fortson and carried unanimously.

MATERIALS AND SERVICES

By memoranda dated September 10, 12, 15, and 16, the requests of Gary Knuckles, Director, Materials and Services, were submitted as follows:

Human Services

- 1) CETA excess equipment to be sold to Sheriff's Department:

<u>Asset No.</u>	<u>Equipment</u>
9115	File Cabinet
9112	Desk, Secretarial
9119	Calculator (Facit)
13581	Pistol (S&W Model 15)
13582	Pistol (S&W Model 15)
13710	Pistol (S&W Model 15)
Unknown	Chair

Motion was made by Mr. McGavic to authorize the Sheriff's Department to purchase the equipment. Motion was seconded by Mr. Fortson and carried unanimously.

Parks and Recreation

- 2) Bid 80-84 - Golf Cars
 - a. Award to lowest responsible bidder meeting specifications, E-Z-Go West Florida, for purchase of 28 golf cars, including batteries, \$41,960.00. (Recommended by Director of Parks and Recreation.)

Motion was made by Mr. McGavic to accept Bid 80-84. Motion was seconded by Mr. Parrish and carried unanimously.

Human Services

- 3) CETA excess office equipment to be sold to Manatee Children's Services, Inc.:

<u>Asset No.</u>	<u>Equipment</u>
9307	Olivetti Calculator, Model 40
9261	Blk. Walnut Executive Desk, Model 32474
9762	Tan 3-drawer Desk with Chair

Motion was made by Mr. McGavic to approve the request to sell the equipment to Manatee Children's Services. Motion was seconded by Mr. Driggers and carried unanimously.

Utilities

- 4) RFP 80-68 - Geotechnical and Hydrological Engineering Services
 - a. Accept Ranking and begin negotiations for contracts for six scopes of work.

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Action was deferred on this item pending additional information being furnished later during the meeting.

Utilities/Transportation

- 5) Sale of Surplus Scrap Metal owned by Manatee County
 a. Authorize the obsolete surplus scrap be dropped from control and sold as scrap in accordance with policy.

Upon motion by Mr. Driggers, seconded by Mr. McGavic, Utilities and Transportation were authorized to drop the surplus scrap from control and sell in accordance with policy. Motion carried unanimously.

HIGHWAY: CHANGE ORDER (WESTRA CONSTRUCTION CORPORATION)

Upon motion by Mr. Driggers, seconded by Mr. Parrish, the following Change Order was unanimously approved:

Contract: Westra Construction Corp.
 Project No. 9017 - Shadybrook Outfall
 Change Order No. 1 and Final: Decrease by \$22,337.52

PEDESTRIAN/PEDALCYCLIST SAFETY PLANNING PROGRAM GRANT

Motion was made by Mr. McGavic, seconded by Mr. Fortson, to approve Application to Florida Department of Community Affairs, Bureau of Highway Safety, for continuation of Pedestrian/Pedalcyclist Safety Planning Program Grant and authorize execution by the Chairman. Motion carried unanimously. (Continuation of \$30,000 grant.)

ELLENTON FIRE CONTROL DISTRICT: BUDGET AMENDMENT

The County Administrator recommended approval of a budget amendment in the amount of \$35,000.00 to provide funding necessary to build the second story of the proposed Ellenton Fire Station for the purpose of housing an ambulance crew (Emergency Medical Services). He explained that the funds would not be released until such time as a formal written agreement between the County and the Fire Department has been prepared and approved.

Motion was made by Mr. Fortson to approve the recommendation and adopt a resolution providing for item to item transfers as follows:

From: Reserve for Contingency
 To: Ellenton Fire Control Contributions \$35,000.00

Motion was seconded by Mr. Driggers and carried unanimously.

RECORD RESOLUTION

TAMPA BAY REGIONAL PLANNING COUNCIL/INTERLOCAL AGREEMENT

S10-163

Motion was made by Mr. Driggers, seconded by Mr. Parrish, to adopt

RESOLUTION APPROVING AMENDMENTS TO AN INTERLOCAL
 AGREEMENT CREATING THE TAMPA BAY REGIONAL PLANNING
 COUNCIL

Those voting "Aye" were Commissioners Driggers, Parrish, Fortson and Chairman Glass. Voting "No" was Commissioner McGavic. Motion carried.

RECORD RESOLUTION

S10-164

MANATEE MEMORIAL HOSPITAL: BOARD OF TRUSTEES - APPOINTMENT

The County Administrator requested guidance in filling the vacancy created by resignation of Harold Whitcomb from the Board of Trustees of the Manatee Memorial Hospital. He was authorized to advertise the position in local newspapers and provide the Board with a memorandum listing all applicants.

ZONING BOARD OF APPEALS - (MEMBER: BRENDA CROSTHWAIT)

The Chairman publicly acknowledged the death of Brenda (Ms Sam) Crosthwait, who had been a member of the Zoning Board of Appeals.

Motion was made by Mr. Driggers to appoint Col. Sam Crosthwait to the Zoning Board of Appeals to serve the remainder of the term of his wife, Brenda. Motion was seconded by Mr. Fortson and carried unanimously.

BUDGET AMENDMENTS

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

VARIOUS SOURCES

- | | | |
|--|--|--------------------------|
| 1) <u>Increase Revenue</u>
Transfer from Highway Operating | | |
| <u>Increase Expenditure</u>
Mallorca Drive Palma Sola Park; 1100 Block
of 66th St. W. to 67th St. W. | | \$ 48,526.00 |
| | | <u>RECORD RESOLUTION</u> |
| | | S10-165 |
| 2) <u>Increase Revenue</u>
Transfer from Surplus | | |
| <u>Increase Expenditure</u>
Elevated Tank #4 | | \$452,700.00 |
| | | <u>RECORD RESOLUTION</u> |
| | | S10-166 |

DEPARTMENT OF H.R.S.

- | | | |
|---|--|--------------------------|
| 3) <u>Increase Revenue</u>
Manatee Co. Elderly Bus Service-Phase II;
Transfer from General Fund | | |
| <u>Increase Expenditure</u>
Manatee County Elderly Bus Service-Phase II | | \$ 91,394.00 |
| | | <u>RECORD RESOLUTION</u> |
| | | S10-167 |

and by item to item transfers:

CIVIL DEFENSE

- | | | |
|---|--|--------------------------|
| 4) From: Civil Defense: Utilities; Dues & Sub-
scriptions; Equipment; Reserve for Contingency | | |
| To: Civil Defense: Regular Employees; FICA Taxes;
Retirement Contributions; Education; Equipment
Maintenance; Telephone; Transportation | | \$ 7,520.00 |
| | | <u>RECORD RESOLUTION</u> |
| | | S10-168 |

WORK RELEASE

- | | | |
|-------------------------------------|--|--------------------------|
| 5) From: Reserve for Contingency | | |
| To: Work Release Operating Supplies | | \$ 2,862.00 |
| | | <u>RECORD RESOLUTION</u> |
| | | S10-169 |

ADMINISTRATOR

- | | | |
|-----------------------|--|--------------------------|
| 6) From: County Court | | |
| To: Circuit Court | | \$ 8,000.00 |
| | | <u>RECORD RESOLUTION</u> |
| | | S10-170 |

TRANSPORTATION

- | | | |
|---|--|--------------------------|
| 7) From: General Fund-Reserve for Contingency | | |
| To: Transfer to County Transit | | \$ 1,838.00 |
| | | <u>RECORD RESOLUTION</u> |
| | | S10-171 |
| 8) From: Manatee Co. Elderly Bus Service-
Phase I: Reserve for Contingency | | |
| To: Manatee Co. Elderly Bus Service-
Phase II: Regular Salaries | | \$ 10,070.00 |
| | | <u>RECORD RESOLUTION</u> |
| | | S10-172 |

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HIGHWAY

9) From: Road Maintenance Thoroughfare
To: Transfer to Capital Projects

\$ 48,526.00
RECORD RESOLUTION

S10-173

UTILITIES

10) From: Reserve for Contingency
To: Transfer to Surplus

\$452,700.00
RECORD RESOLUTION

S10-174

RECESS/RECONVENE

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

SHERIFF: SUBGRANT/SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)

Motion was made by Mr. Fortson to approve Subgrant Application to Florida Department of Community Affairs, Bureau of Highway Safety, for the Manatee County Selective Traffic Enforcement Program (STEP) (for period 10/1/80 through 9/30/81) and authorize execution by the Chairman. Motion was seconded by Mr. Driggers and carried unanimously.

The County Administrator was authorized to prepare the appropriate budget amendment (in the approximate amount of \$30,000) to subsidize the early part of the program, pending receipt of grant funds.

RIGHT-OF-WAY/CLEAN UP

The County Administrator submitted estimated annual costs for clean-up of County rights-of-way by the Highway Department (memorandum dated September 5, 1980). He was instructed to obtain the actual hours spent by county crews on this activity (cost of equipment, etc.) and obtain cost for this clean-up through Requests for Proposals.

STATE ROAD 64/STATE ROAD 675 & RUTLAND ROAD: FLASHING BEACONS

The County Administrator reported that after several accidents involving tank trucks at the Intersections of SR 64 and Rutland Road and SR 675, and the danger of chemicals flowing into the Lake Manatee Reservoir, the Florida Department of Transportation has agreed to permit flashing beacons if the County agrees to provide for equipment, installation and maintenance. The estimated cost of equipment and installation is \$16,570.00.

Following discussion and determination that the flashing beacons were in fact for protection of Lake Manatee from spill resulting from such accidents, it was indicated that the funding should come from Manatee County Utilities System. (County Administrator will prepare appropriate resolution for consideration by the Board.)

PALM AIRE SPEED LIMIT SIGNS

Due to previous involvement in the cost of posting speed limit signs in Palm Aire, the Highway and Engineering Department provided a revised formula covering the cost of the signs, which was submitted by the County Administrator. No action was taken.

SHERIFF: EXPENDITURE OF FUNDS

The Board offered no objections to payment of bills incurred by the Sheriff's Department to improve security of the facility after a recently attempted jail break. The County Administrator stated this item (payment of \$5,740.50 to Adams Welding) would be placed on the next Consent Calendar for approval.

TRAVEL AUTHORIZATION

Motion was made by Mr. Fortson, seconded by Mr. Driggers, that Mrs. Glass be authorized to travel to Jacksonville, Florida, to attend the State Association of County Commissioners Annual Conference 10/8/80 through 10/11/80. Motion carried unanimously.

PROPOSED 1980-81 BUDGET

The County Administrator advised that copies of the Proposed 1980-1981 Budget had been provided to Board members and he would be scheduling budget work sessions during the next month. A resolution to allow continuance of the current expenditure level shown in this year's budget through the interim period when the final budget is adopted will be submitted Thursday, September 25, 1980.

TRAVEL AUTHORIZATION

Motion was made by Mr. Fortson, seconded by Mr. McGavic, that Mr. Driggers be authorized to travel to Jacksonville, Florida, to attend the State Association of County Commissioners Annual Conference 10/8/80 through 10/11/80. Motion carried unanimously.

MATERIALS AND SERVICES

Utilities

RFP 80-68 - Geotechnical and Hydrological Engineering Services

The Selection Committee, having conducted interviews with firms submitting proposals and having determined selection of the three engineers for the six scopes of work outlined, recommended ranking of firms as follows:

Scopes 1 through 4

- (1) Howard Needles Tammen & Bergendoff
- (2) Reynolds, Smith & Hills
- (3) Gee & Jenson

Scope 5

- (1) Reynolds, Smith & Hills
- (2) Howard Needles Tammen & Bergendoff
- (3) Gee & Jenson

Scope 6

- (1) Gee & Jenson
- (2) Howard Needles Tammen & Bergendoff
- (3) Reynolds, Smith & Hills

Motion was made by Mr. Driggers to accept the ranking from the Selection Committee and authorize staff to begin negotiations for a contract with the top-ranked firm. Motion was seconded by Mr. Fortson and carried unanimously.

EGMONT KEY: SPOIL FROM DREDGING (ST. PETERSBURG)

O. E. "Bud" Randle, Director, Pollution Control, reported on the firm in St. Petersburg who intends to dump spoil into Egmont Key. He had been advised by the Corp of Engineers that the material is unconsolidated and is not suitable for land disposal, and that there is an "Ocean Dumping Policy" which allows this material (consisting of silt and sludge) to be disposed of at sea. The information they had was that the material would be diluted and not come back to shore. It was his understanding that the project has been approved and he is awaiting a complete report from the Corp of Engineers, and will advise the Board immediately upon receipt of any information.

QUATTLEBAUM PROPERTY: PURCHASE OF LAND FOR UTILITIES SYSTEM

The County Attorney submitted Agreements for Sale and Purchase of two parcels of land being acquired by the County for a site for water treatment facilities in the Lake Manatee Reservoir area:

- (1) AGREEMENT FOR SALE AND PURCHASE
M. C. QUATTLEBAUM TO MANATEE COUNTY

for a total purchase price of \$39,600.00 (the amount of \$3,000.00 to be paid at time of execution by both parties and balance at closing), and

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(2) AGREEMENT FOR SALE AND PURCHASE
 MARIAN C. AND BETTY S. QUATTLEBAUM TO MANATEE COUNTY

for a total purchase price of \$191,000.00 (the amount of \$10,000.00 to be paid at time of execution by both parties and balance at closing).

Mr. Driggers moved to approve (and authorize execution of) both Agreements for Sale and Purchase of property from the Quattlebaums. Motion was seconded by Mr. Parrish and carried unanimously.

✓ RECORD AGREEMENTS

LEASE: FULWOOD FARMS

S10-175

S10-176

The County Attorney submitted proposed Lease Renewal between Manatee County and Ronnie Fulwood d.b.a. Fulwood Farms, covering Manatee County Utilities System real property located at Port Manatee, for one year beginning January 1, 1981 and terminating December 31, 1981.

He advised that Utilities was in favor of the renewal; however, the Port Director was not particularly in favor due to the air pollutants produced by agricultural activities during the dry season.

Action was deferred until this matter can be discussed with the Port Director at the next meeting of the Port Authority.

ESTECH NPDES PERMIT

The County Attorney submitted, for the Chairman's signature, a letter to the Regional Administrator of the NE US Environmental Protection Agency advising that issuance of NPDES Permit for Estech General Chemicals Corporation is inconsistent with the approved 208 Plan requirements and requesting a meeting to resolve the conflicts.

Charles Hunsicker, Planning and Development Department, pointed out that the approved 208 Plan for this area has specific requirements relating to above-grade clay slime disposal; that the Plan/Program is prepared under Division of Regulation in the Environmental Protection Agency in Atlanta; however, NPDES permits are issued by the Enforcement Branch of the same agency.

Motion was made by Mr. Fortson to authorize the Chairman to sign the letter. Motion was seconded by Mr. Driggers and carried unanimously.

TWIN VIEW LAKES SUBDIVISION

The County Attorney referred to approval of the Final Plat of Twin Lakes Subdivision on September 16, 1980, subject to a letter being submitted by the developers regarding installation of a fire hydrant, stating he was unaware at that time that the owners of the lots, and not the developer, would be making the installation. He submitted a letter from Herbert D. Shuart and James W. Price, owners of the property, confirming that they agree to install and pay for a fire hydrant in the subject subdivision.

Motion was made by Mr. Driggers, seconded by Mr. McGavic, to approve the plat of Twin View Lakes Subdivision and accept the letter dated September 16, 1980, (from Herbert D. Shuart and James W. Price) as meeting earlier requirements by the Board. Motion carried unanimously.

PROPOSED 1980-81 BUDGET

Motion was made by Mr. McGavic to accept the Proposed 1980-81 Budget into the record. Motion was seconded by Mr. Parrish and carried unanimously.

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CLERK'S CONSENT CALENDAR

Upon motion by Mr. Parrish, seconded by Mr. McGavic, the Clerk's Consent Calendar dated September 18, 1980, was unanimously approved as follows:

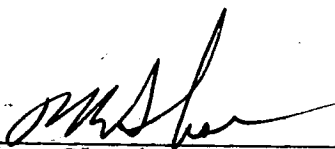
Minutes of Regular Meetings:
July 8, 10, 15, 17, 24, 29, and 31, 1980

MEETING ADJOURNED

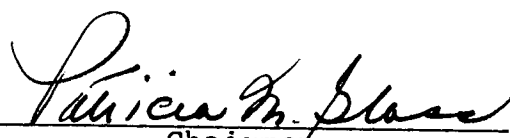
There being no further business, the meeting was declared adjourned.

Attest:

APPROVED:



Clerk



Chairman

Adj: 11:32 a.m.