

MARCH 9, 1982

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, March 9, 1982 at 9:07 a.m.

Present were Commissioners:

Vernon E. Vickers, Chairman
Edward W. Chance, Vice-Chairman
Claude E. McGavic
Patricia M. Glass
Westwood H. Fletcher, Jr. entered during the meeting

Also present were:

Mary Greenwood, County Attorney
Robert F. Fernandez, Acting County Administrator
Richard H. Ashley, Chief Deputy Clerk, representing
R. B. Shore, Clerk of Circuit Court

Representing the various news media were Greg Spears, The Bradenton Herald; Jud Magrin, Sarasota Herald-Tribune, and others who entered during the meeting.

Invocation by Rev. Max Smith, Westside Christian Church

The meeting was called to order by Chairman Vickers.

VICTORY ROAD AND 301

Mr. Chance recommended the Board adopt a resolution requesting the State of Florida to improve the intersection of Victory Road and 301 to correct the existing dangerous traffic situation. He indicated that the two letters to the Department of Transportation, and a petition with 1400 signatures to the Governor, have resulted in no action by the State.

Motion was made by Mrs. Glass that staff be authorized to prepare appropriate resolution and that Mr. Fernandez and the Chairman set up appointments with officials of the Florida Department of Transportation to discuss the problems. Motion was seconded by Mr. Chance and carried unanimously.

PROCLAMATION: KIWANIS/BETTER MANATEE DAY

Following the reading of a proclamation declaring March 13, 1982 as BETTER MANATEE DAY, Greg Bustle, representing the Kiwanis Club Better Manatee Committee, outlined planned activities and requested that the County Commission

- = waive the landfill fees for individuals using that facility on Saturday, March 13th
- = waive transit fares on March 13, 1982 for groups to be taken to various sites such as Palmetto Marino, Waterfront development, etc
- = permit use of Parks and Recreation Department equipment

Mr. McGavic moved for adoption of the proclamation. Motion was seconded by Mr. Chance and carried unanimously.

RECORD PROCLAMATION S31-1041

Motion was made by Mr. Chance to waive the fees at the landfill on Saturday, March 13, 1982; provide buses for Better Manatee Day at no charge; authorized the Bradenton Kiwanis Club to use the Parks and Recreation equipment to install picnic tables at 59th Street Park as well as other uses pertinent to Better Manatee Day. Motion was seconded by Mr. McGavic and carried unanimously.

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DOWNTOWN BRADENTON HISTORIC DISTRICT

William Sheppard, Chairman of the Downtown Beautification Project Historic Survey Committee, and Mrs. Duane Moore, Vice-Chairman, requested concurrence of the Board to place the Manatee County Courthouse in the proposed downtown Bradenton Historic District. (ref. letter of 2/16/82). Frank Perkins recommended the proposed inclusion of the Courthouse.

Mr. Chance moved approval of the request to accept the inclusion of the County Courthouse in the proposed Bradenton Historic District. Motion was seconded by Mrs. Glass and carried three to one, with Mr. McGavic voting "Nay."

PUBLIC HEARING: HANDI BUS/FARE INCREASE

The Chairman declared the public hearing open for the purpose of considering an increase in Handi-bus fares (Notice published in The Bradenton Herald January 28, and February 15, 1982).

Robert Hofmann, Assistant Director, Department of Transportation, submitted recommendations outlined in memorandum dated March 5, 1982, which included increase and revisions in the fare system and services provided through the Handi-bus program. He explained that there were not sufficient funds (Title III) to continue a contribution-only service to the elderly and handicapped of the community.

(Enter Mr Fletcher)

Public Comments

Doris Miller, Manatee Chapter for the Council of the Blind, questioned why the Transportation Department is taking no applications for service to the Blind because buses are "exceeding occupancy" when the handi-bus has been observed to be empty when entering and leaving shopping centers.

John Patterson recommended coordination of transit and handibus routes to provide more efficient service and encouraged charging people who can afford to pay for the service.

Russell Kitching, Manatee Council on Aging, urged that service for the elderly and handicapped not be discontinued and supported the recommendation of the Transportation Department to charge those who can afford to pay the fare.

Leo Allen, Florida Council for the Blind, expressed willingness to pay for handi-bus service provided the blind.

The public hearing was closed.

Upon Board concurrence, action was deferred and the County Administrator instructed to set up a work session to discuss the matter as soon as possible.

DOWNTON DEVELOPMENT AUTHORITY

Thomas Mills, Jr., Downtown Authority, and Don Donelson, developer of the waterfront Puerto Bello project, made a presentation on the proposed facility, which will be similar to the Fisherman's Village in Punta Gorda, and will be located on the "sandpile" between 9th Street W. and the Seaboard Railroad tracks.

It was anticipated that the project will begin July 1982 with plans to open January 1984.

ESTECH/DUETTE MINE (RADIOLOGY CONSULTANT)

Richard Eckenrod, Phosphate Coordinator, requested authorization to procure the services of an expert in radiation matters to assist the County in the review of the Estech Duette Mine. The scope of work will consist of reviewing existing documentation only and making recommendations within a time frame of eight to six weeks. The fee will not exceed \$5,000.

Mr. Fletcher moved that the Phosphate Coordinator be authorized to proceed to acquire services of technicians to perform the scope of work outlined. Motion was seconded by Mrs. Glass and carried unanimously.

COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mr. Fletcher, seconded by Mrs. Glass, the County Administrator's Consent Agenda dated March 9, 1982 was unanimously approved.

Items approved on the Consent Agenda included:

Claim Settlement (Rowe)

Authorization of payment of \$850 as a settlement to Harold Rowe and Sylvia Rowe for sign damaged by a vehicle driven by a deputy sheriff (Case #S-81-1104).

HUMAN SERVICES

1. Execution of Addendum to Community Care for the Elderly Agreement with Upjohn Healthcare Services for home health aid services (increase amount to \$57,869.25 and units to 8,835).
RECORD AGREEMENT S31-1042
2. CETA Title VII OJT Contracts
 - a. P-098, HOPE of Manatee, \$1,911
 - b. P-099, Island Canvas Products, \$2,496
 - c. S-031, Madam Joe's, \$1,256.25
 - d. S-032, Interstate Transmission Sales & Services/P.J. Cooney, Inc, \$2,783.55
 - e. S-033, The Sports Page, Inc., \$1,407
 - f. S-034, Ponderosa Steak House, \$1,507.50

MATERIALS AND SERVICES

1. Execution of annual typewriter Maintenance Service Contract agreement Bid No. 81-33-M00-12, with Advanced Business Products of Sarasota. Acceptance of Certificate of Insurance. RECORD S31-1043
2. Transportation/Parks & Recreation
 - a. Aquatic Plant Control Chemicals/Bid 82-35-190-93 (portion) Award to: Woodbury Chemical, Southern Mill Creek, Asgrow Florida, Inc., Harold Brown, Future Horizons, Southern Agricultural and USS Agri-Chemicals.
 - b. Yard Stockage Supplies/Bid Bid 82-49-210-00 (portion) Award to: Brasota Concrete; Sun Coast Concrete
 - c. Motorola Land Mobile Radios and Whip Antennas (6) Purchase from Motorola Communications Electronics, Inc., State contract, \$4,302
 - d. Appraisal fees:
Payment of \$3,350 to Alcott & Associates for appraisals of six parcels on 33rd Street East and State Road #70; waive bid procedure for professional services.
 - e. Trucks/Vans/Autos - Purchase from:
Duval Motor Company - Five Ford sedans, \$33,150
Bill Currie Ford - Seven Ford E-250 Panel Vans, \$65,117.29
Regency Dodge - Six D-150 trucks, 1/2-ton \$41,511.72
- One D-250 3/4 ton truck, \$9,589.85
- Four W-150 1/2 ton trucks, \$32,184.32
 - f. Traffic Controlling Equipment - Purchase from:
(Project 4048, 9th Street W/43rd Street W)
Transportation Control Systems - (State Contract) \$6,522.
- (Non-State Contract) \$2,792
 - g. 3M Company - (State Contract) \$4,607.50

Grace, W R Company

Acceptance of W. R. Grace Annual 1981 Progress report on mining activities at the Four Corners Mine and projects for 1982.

TRANSPORTATION

1. Adoption of

A RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE A BROKERAGE AGREEMENT BETWEEN THE BOARD OF MANATEE COUNTY COMMISSIONERS AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADVANCE PURCHASE OF FIVE (5) 30-FOOT COACHES AND FIVE (5) 20-FOOT WHEELCHAIR LIFT BUSES

RECORD RESOLUTION/
AGREEMENT

MARCH 9, 1982

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2. Adoption of a
RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION
WITH THE U.S. DEPARTMENT OF TRANSPORTATION FOR A GRANT
UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS
AMENDED

to aid in financing five or more 30-foot buses and five 20-foot
wheelchair equipped handi-bus, slide-in assembly, maintenance
equipment and ten bus shelters. (Capital assistance, FY 1981)

RECORD RESOLUTION

S31-1045

DEEDS AND EASEMENTS

1. Acceptance of easement from Lake East II Associates, Ltd.
2. Execution of Disclaimer on drainage easement in Tidevue Estates
conveyed to County from Charles Kurutz, Mary Kurutz and Jon
Kurutz (1/1/80; OR 974, Page 868).
3. Execution of Drainage Cooperative Agreement between Manatee
County and South Youth Center (facility on west side of Youth
Center, intersection SR 70 and 37th Street E).

RECORD AGREEMENT

S31-1046

(End Consent Agenda)

BUDGET AMENDMENTS

Upon motion by Mrs. Glass, seconded by Mr. McGavic, resolutions on
Budget Amendment Resolution Agenda dated March 9, 1982 were
unanimously adopted amending the 1981-82 budget to provide for the
receipt and appropriation of unanticipated revenues and item to
item transfers:

UTILITIES

- 1) Increase Revenue: (82-124)
Fire Hydrant fees
Increase Expenditure
Fire Protection

\$217,080

RECORD RESOLUTION

S31-1047

PARKS AND RECREATION

- 2) From: Parks and Recreation (82-125/1)
To: General Fund Transfers

\$38,798

RECORD RESOLUTION

S31-1048

- 3) Increase Revenue: (82-125/2)
Transfers (General Fund)
Increase Expenditures
Palmetto Park

\$38,798

RECORD RESOLUTION

S31-1049

TRANSPORTATION

- 4) From: Road Maint. Residential (82-126/1)
To: Transfers

\$250,000

RECORD RESOLUTION

S31-1050

- 5) Increase Revenue (82-126/2)
Transfer from Highway
Increase Expenditures
Landfill

\$250,000

RECORD RESOLUTION

S31-1051

- 6) From: Landfill, Lease Purchase (82-127)
To: Landfill, Road Equipment

\$110,000

RECORD RESOLUTION

S31-1052

- 7) From: Road Maint. Residential (82-128)
Lease Purchase
To: Road Maintenance Residential
Road Equipment

\$185,000

RECORD RESOLUTION

S31-1053

ONE CENT SALES TAX PROPOSAL

At the request of Mr Fernandez the Board deferred action on the One
Cent Sales Tax Proposal until later in the meeting.

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COUNTY LINE ROAD/I-75 CONNECTOR (SR 610)

Mrs. Glass moved for the adoption of a
RESOLUTION RE: FUNCTIONAL CLASSIFICATION OF THE COUNTY LINE
ROAD CONNECTOR (STATE ROAD 610) AND RESTRICTION ON CONTRACTOR
and authorize the Chairman to sign. Motion was seconded by Mr
Fletcher and carried unanimously.

(This resolution was adopted by the Boards of County Commissioners,
Manatee County and Sarasota County, in joint session March 8, 1982,
in Sarasota, Florida. Resolution will be recorded when fully
executed).

RETAINED COUNSEL (PROPOSALS)

Nominations on firms interviewed by the Board to be considered as
Retained Counsel were as follows:

Lane, Trohn, Bertrand, Williams & Smith, PA - nominated by Mrs Glass

Carlton, Fields, Ward, Emmanuel, Smith & Cutler, PA - nominated by
Mr Chance

Mann & Fay Chartered, Gavin O'Brien - nominated by Mr McGavic.

Following closing of nominations, Mr Fernandez was authorized to
contact the four firms to be interviewed again on Thursday, March
11, 1982 at 1:30 p.m.

MANATEE MEMORIAL HOSPITAL

Motion was made by Mrs. Glass, seconded by Mr. Fletcher, to approve
and authorize payment for equipment for Manatee Memorial Hospital
in the amount of \$240,638.55, as outlined in letter dated March 3,
1982 from Bentley Lang, Hospital Administrator. Motion carried
unanimously.

MANATEE OPPORTUNITY COUNCIL

Motion was made by Mrs. Glass, seconded by Mr. Chance, to authorize
the County Administrator to arrange for the use of vehicles to
assist the Manatee Opportunity Council in distribution of cheese
products donated by the Federal Government to low income families.
Motion carried unanimously.

DAVID COLLIER SETTLEMENT

Motion was made by Mrs. Glass, seconded by Mr. Chance, to authorize
payment of settlement in the amount of \$20,228.23 to David Collier.
Motion carried unanimously.

59TH STREET WEST

Mrs. Glass moved to award Bid No. 82-27-C00-06 on Project No. 4025,
Intersection of 59th Street W. and Manatee Avenue W., to HEWITT
CONTRACTING COMPANY, INC., (formerly Square G Construction) in the
amount of \$356,083.15, and authorize the Chairman to execute
agreement/contract with said firm. Motion was seconded by Mr.
Fletcher and carried unanimously. (Performance bond: Seaboard
Surety Company)

RECORD AGREEMENT S31-1054

UTILITIES/BILLING SOFTWARE

Mr. Fernandez submitted a contract for consulting services for the
Utilities Department Billing Software System with Alexander Grant
consistent with action taken by the Board on January 26, 1982.

Mrs. Glass moved the execution of the contract with Alexander Grant
and authorize the Chairman to sign. Motion was seconded by Mr.
McGavic and carried unanimously.

RECORD CONTRACT S31-1055

TRAVEL AUTHORIZATION

Upon motion by Mr. Fletcher, seconded by Mr. McGavic, travel was
unanimously authorized for Commissioner Chance to attend the South
West Florida Water Management District (SWFMD) meeting in Tampa,
March 25-26, 1982.

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ONE-CENT SALES TAX (PROPOSED)

Mr. Fernandez referred to action taken in the joint meeting of the Boards of County Commissioners of Sarasota County and Manatee County (3/8/82) regarding the one cent sales tax, and indicated that the matter will be taken before the Sarasota full Board and then referred to Manatee County full Board. A resolution from Sarasota County will be brought for Manatee County Board approval on Thursday, March 11, 1982.

CLERK'S CONSENT CALENDAR

Upon motion by Mrs. Glass, seconded by Mr. Fletcher, the Clerk's Consent Calendar dated March 9, 1982 was unanimously approved as follows:

BILLS FOR PAYMENT:

Bay-Con General - Elwood Pk. Boost. Sta. (Est. #26)	30,306.46
Edwin T. Mulock, P.A. - Pollution Control (thru 2/26/81)	845.00
Hobbs Const. - Public Safety Complex (Est. #7)	361,947.60
Russell & Axon: Wtr. & Swr. Improvements (11/11/81)	7,640.00
Wtr. & Swr. Improvements (12/10/81)	4,501.39
Various Engin. Services	3,128.96
Gee & Jenson - Phase II Safe Yield & Impact Assessment	27,426.15
Arnold & Company - Interim Billing; audit of Civic Cntr.	1,000.00
Sarasota/Bradenton MPO (SMATS) - 10/81 through 12/81	1,114.81
Refund: John A. Perekovich (Utilities)	350.00
Refund: Westco Builders, Inc. (P&D)	85.00

WARRANT LIST:

Approve: March 2 to March 9, 1982
 Authorize: March 9 to March 16, 1982

AUTHORIZE CHAIRMAN TO SIGN:

Special Interest Classes Instructor's Agreement with Carole Jackson.

RECORD AGREEMENT S31-1056

CIVIL DEFENSE DIRECTOR

Action on the appointment of a Civil Defense Director was deferred until March 16, 1982.

COMPUTER INVESTIGATION

The County Attorney submitted a letter for Chairman's signature to James Gardner, State Attorney, requesting him to be present at the regular meeting of the Board, Tuesday March 16th at 9:00 a.m. to discuss the preliminary report of James Foy.

Motion was made by Mrs Glass, seconded by Mr McGavic, to authorize the Chairman to sign and forward the letter to Mr Gardner. Motion carried unanimously.

CORRESPONDENCE

Correspondence was acknowledged from:

1. James Gardner, State Attorney, dated 3/8/82 advising that the computer investigation has been referred to the Florida Department of Law Enforcement Agent, Lawrence H. Fuchs, who will be available on March 9, 1982 at the State Attorney's Office from 9:00 a.m. to discuss this matter.
2. Devitt J. Adams, County Attorney, St. Lucy County - Re: Resolution 82-23, opposing Florida DOT regulations requiring counties to erect and maintain signs on State Roads.

BLAKE HOSPITAL - INDUSTRIAL REVENUE BONDS

In connection with action taken by the Board, Tuesday, March 2, 1982 regarding the Blake Hospital Industrial Revenue Bonds, Mr. Fletcher moved to rescind previous motion for the purpose of presenting a clarifying motion. Motion was seconded by Mrs. Glass and carried unanimously.

Mr. Fletcher moved to authorize Mudge, Rose, et al to act as bond counsel and to refer the matter to them for review. Motion was seconded by Mrs. Glass for discussion. After discussion Mrs. Glass withdrew her second.

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Mr. Chance moved that the Board approve in concept the proposal by Blake Memorial Hospital and authorize Mudge, Rose, et al to serve as bond counsel for Manatee County. Motion was seconded by Mrs. Glass. Voting "Aye" were Mrs Glass, Mr Fletcher, Mr Vickers and Mr Chance. Mr McGavic voted "Nay". Motion carried.

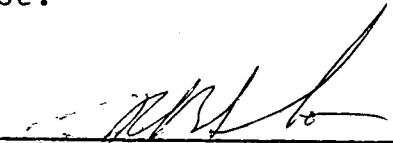
The County Attorney was instructed to contract Mudge, Rose, et al to inform them of today's action.

MEETING ADJOURNED

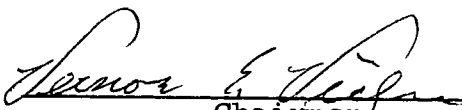
There being no further business, the meeting was declared adjourned.

Attest:

APPROVED:



Clerk



Chairman 8/17/82

Adj: 12:06 p.m.