

MARCH 23, 1982

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, March 23, 1982 at 9:05 a.m.

Present were Commissioners:

Edward W. Chance, Vice-Chairman  
Claude E. McGavic  
Westwood H. Fletcher, Jr.  
Patricia M. Glass

Vernon E. Vickers, Chairman, entered during the meeting.

Also present, were:

Mary Greenwood, County Attorney  
David Rothfuss, representing the 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. C. E. Winslow, First Church of the Nazarene.

The meeting was called to order by Vice-Chairman Chance.

SENIOR CITIZENS DAY

Upon motion by Mrs. Glass, seconded by Mr. Fletcher, a Proclamation was unanimously adopted proclaiming Saturday, March 27, 1982, as "Senior Citizens Day".

RECORD PROCLAMATION S31-1083

TRAVEL

Mr. Fletcher moved to approve, ratify and confirm travel expenses for Eugene Wiseman, Citizens Airport Advisory Group, to Tallahassee, February 17, 1982. Motion was seconded by Mrs. Glass.

Question on the motion was deferred until later in the meeting to afford Mr. Vickers an opportunity to be present.

WATER CONSERVATION PROGRAM

Mrs. Glass moved to adopt a

RESOLUTION APPROVING THE WATER CONSERVATION PROGRAM OF THE  
MANATEE COUNTY UTILITIES DEPARTMENT AND APPROVING SUBMISSION  
TO THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT.

Motion was seconded by Mr. Fletcher and carried unanimously.

RECORD RESOLUTION S31-1084

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

LAND DEVELOPMENT CODE AMENDMENTS

The public hearing continued from March 16, 1982 was opened for the purpose of considering proposed Land Development Code Amendments, particularly as they pertain to requirements for dedication of right-of-way.

The Planning Director summarized right-of-way dedication requirements and recommended that no dedication be required for small developments of 10 parking spaces or less or additions of less than 2,000 square feet.

Philip Davis, Director, Transportation Department, summarized recommendations of the Transportation Department.

MARCH 23, 1982

Cont'd

Discussion followed regarding whether or not dedication of right-of-way should be continued, the legality of acquiring property without compensation to the property owner, the protection of corridors for major thoroughfares, and charging of impact fees for new developments.

(Enter Mr. Vickers)

Mr. & Mrs. Howard Emmonds, on behalf of Community Church located on 63rd Avenue, reported that the church is in the process of building an addition for Sunday School use and, as a requirement for a building permit and permit for occupancy, they have been requested to dedicate 330 foot frontage along 63rd Avenue. They questioned the right of the County to require that dedication without proper compensation to the Church, and whether this is a form of taxation. The matter was referred to the Transportation Director.

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

BUS SERVICE - SARASOTA-BRADENTON

Request by Paul McQueen that consideration be given to improved bus service between Sarasota and Bradenton was referred to the Transportation Director.

LAND DEVELOPMENT CODE AMENDMENTS (cont'd)

Avery Gould, representing the Federation of Manatee County Community Associations, asked when the Land Development Code Amendments would be finalized.

There being no further public comment, the Chairman declared the public hearing closed.

The Planning Director was directed to prepare finalized amendments for consideration implementing the general consensus of the Board.

COUNTY STOCKADE - LEASE

E. N. Fay, Jr., Attorney, representing the Port Authority, submitted proposed County Stockade Lease between the Port Authority and the County of Manatee, to lease approximately 30 acres of land on which to construct a County Stockade at Port Manatee.

Mr. McGavic moved to approve the lease and authorize the Chairman to sign. Motion was seconded by Mrs. Glass and carried unanimously.

RECORD LEASE S31-1085

UNICARE SERVICES INC - INDUSTRIAL REVENUE BONDS

Thomas Gallen, Attorney representing Unicare Services Inc., requested the issuance of Industrial Development Revenue Bonds in the amount of \$1,000,000 for the acquisition of an existing 60-bed nursing home facility located at 210 21st Avenue West, Bradenton, Florida (currently owned by Medical Affiliates, Inc., or a subsidiary thereof).

Joseph M. Luby and Tom Denaro were available to answer any questions regarding the project and/or financial responsibility of Unicare.

During discussion, it was brought out that the current owner has announced intention to liquidate, that the nursing home is presently operating at full capacity, and that the acquisition would preserve the jobs of approximately 32 full-time and 15 part-time employees.

RECESS/RECONVENE

The Chairman declared the meeting recessed until 1:45 p.m.

The Board reconvened at 2:08 p.m with all members present.

UNICARE SERVICES (cont'd)

Mr. Chance moved to approve the request in concept, subject to approval by Mudge, Rose, et al, bond counsel. Motion was seconded by Mr. Fletcher. Voting "Aye" were Commissioners Chance, Fletcher, McGavic and Glass. Voting "Nay" was Commissioner Vickers. Motion carried.

WATER/WASTEWATER RATE STUDY

David Rothfuss submitted request of R.A. Wilford, Director, Manatee County Utilities, to advertise a Request for Proposal for a consultant to perform a Water and Wastewater Rate Study.

Mr. Fletcher moved that the Request for Proposal No. 82-73-218-68, Water and Waste Water Rate Study, be approved for advertisement. Motion was seconded by Mrs. Glass and carried unanimously.

TRAVEL (WISEMAN)

Discussion was held regarding travel expenses incurred by Eugene Wiseman, Citizens Airport Advisory Committee (deferred from earlier in the meeting).

Mr. Chance moved to table the matter. Motion was seconded by Mr. McGavic. Voting "Aye" were Commissioners Chance, McGavic, Glass and Vickers. Voting "Nay" was Commissioner Fletcher. Motion carried.

COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mr. McGavic, seconded by Mr. Chance, the County Administrator's Consent Agenda dated March 23, 1982, was unanimously approved.

Items approved on the Consent Agenda included:

HUMAN SERVICES (CETA)

1. Title VII On-the Job Training Contracts:
  - a. #P-100, United Plumbing, \$2,080.00.
  - b. #S-035, Wilson Coastal Enterprises, \$2,269.20.

MATERIALS & SERVICES

1. Golf Course Clubhouse/Air Conditioning-Heating System - Bid No. 82-53-030-02
  - a. Award to Reddy Mechanical, \$9,690.00.
2. Sanitary Landfill/Consulting Services - RFP No. 82-43-S00-10
  - a. Hear oral presentations from Post, Buckley, Schuh & Jernigan; Camp, Dresser & McKee; and Briley, Wild & Associates
  - b. Enter into contract negotiations with top ranked firm.
3. Inventory
  - a. Delete surplus property from inventory, Assets 9957, 3299, 7938 and 4217 (Highway and Health)
4. Data Management Consultants - RFQ 82-37-250-15
  - a. Authorization to begin contract negotiations with Alexander Grant & Company

PROBATION

1. Authorization for Chairman to sign (for County, as victim of retail theft offense) giving consent for Gregory Lamar Bailey to be placed on Pre-Trial Intervention Program.

TRANSPORTATION/HIGHWAY

1. 25th St West from 48th Ave. W to 29th Ave. W - Bid 82-29-C00-06 (Paving and Drainage Project 5017)
  - a. Execution of Agreement with Florida West Paving, Inc., \$18,286.40. Acceptance of Power of Attorney, Certificate of Insurance, and Performance and Payment Bond (Fidelity & Deposit Co. of Maryland, surety).
2. Land Acquisition - 9th Street E - Project 0311
  - a. Execution of Agreement with Nida Gregory purchase Parcel 1.1, \$2,703, and attorney fees, \$400.00
 

RECORD AGREEMENT S31-1086
3. Deeds and Easements - Acceptance of Warranty Deeds from:
  - a. Stephen L. and Christine Moleski, Parcel No. 1.1 with partial release of mortgage, Parcel No. 1.2 for right-of-way on 57th Avenue West.
  - b. W. C. & C. Investment Corporation and Linda Watts, Parcel No. 2.1 (111.1) 53rd Avenue West (Oneco Road).
 

RECORD AGREEMENT S31-1087

MARCH 23, 1982

Cont'd

UTILITIES

1. Execution of Water and Wastewater Services Agreement with  
Utility Power Corporation. RECORD AGREEMENT S31-1088
2. Execution of Engineering Study Agreement with Camp Dresser & McKee, Inc., for continuation of water Distribution System Study, Phase II. RECORD AGREEMENT S31-1089

(End Consent Agenda)

BUDGET AMENDMENTS

Upon motion by Mr. Chance, seconded by Mr. McGavic, the Budget Amendment Resolution Agenda dated March 23, 1982, was unanimously approved, adopting resolutions amending the 1981-82 budget to provide for the receipt and appropriation of unanticipated revenues and item to item transfers as follows:

SHERIFF

<u>Increase Revenue</u> (82-136)	
<u>Interest Income</u>	
<u>Increase Expenditure</u>	
<u>Sheriff</u>	\$23,279.00
	<u>RECORD RESOLUTION</u> S31-1090

(Included was a Sheriff Department Budget Account Amendment (No. 07) increasing Sheriff Budget in the amount of \$23,279)

MATERIALS AND SERVICES (82-137)

From: Road Equipment	
To: Building Maintenance	\$12,902.00
	<u>RECORD RESOLUTION</u> S31-1091

BUDGET (82-138)

From: General Fund Reserves - Reserve for Salary Adjustment	
To: General Fund Reserves - Reserve for Contingency	\$81,000.00
	<u>RECORD RESOLUTION</u> S31-1092

Also included was a Sheriff's Department Budget Account Amendment increasing the Budget in the amount of \$23,279.00.

COUNTY ADMINISTRATOR - TABOR SEARCH GROUP, INC

The Board declined to accept a proposal from Tabor Search Group, Inc. to perform a professional search and recruitment for a County Administrator and directed staff to send an appropriate response.

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

INDUSTRIAL REVENUE BONDS - PROCEDURES

The County Attorney reviewed procedures for Industrial Revenue Bond Financing in Manatee County outlined in memorandum from Craig Starner, Economic Development Analyst, dated March 8, 1982, and commented that a system followed by Palm Beach County requires a \$1,000 application fee.

Discussion followed. Staff was directed to work with the Clerk of Circuit Court to compile cost figures reflecting the number of manhours spent on Industrial Revenue Bond issues.

PERSONNEL MANNING LEVEL AMENDMENTS

Upon motion by Mr. Fletcher, seconded by Mrs. Glass, a resolution was unanimously adopted amending established manning levels:

PARKS & RECREATION

Delete: 2 Athletic Supervisors (Part-time)  
Add: 1 Athletic Supervisor (Full-time)  
(Decrease in authorized manning levels from 101 to 100)

RECORD RESOLUTION*Personnel*

CONGRESSIONAL REDISTRICTING

Mr. McGavic moved to adopt a

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING THE ESTABLISHMENT OF A UNITED STATES CONGRESSIONAL DISTRICT

to be comprised of Manatee and Sarasota Counties. Motion was seconded by Mr. Chance and carried unanimously.

RECORD RESOLUTION S31-1093

ANNUAL FINANCIAL REPORT

Mrs Glass moved to accept the Manatee County Annual Financial Report for Fiscal Year 1980-1981, presented by R. B. Shore, Clerk of Circuit Court. Motion was seconded by Mr. Fletcher and carried unanimously.

BUDGET: ANTICIPATED REVENUES

Motion was made by Mrs. Glass, seconded by Mr. Chance, to authorize the Budget Office and Staff to work with the Clerk's Office to provide a five-year projection of anticipated revenues. Motion carried unanimously.

CONCESSIONS: BALL PARKS/BEACHES

Action was deferred for one week on Requests for Proposals for ball parks and beach concessions.

TRAVEL AUTHORIZATION

Upon motion by Mr. Chance, seconded by Mrs. Glass, Robert Fernandez, Acting County Administrator, was unanimously authorized to travel to Orlando, Florida, March 30-April 3, 1982, to attend a seminar on "Improving Management Skills".

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Chance, seconded by Mrs. Glass, the Clerk's Consent Calendar dated March 23, 1982 was unanimously approved as follows:

BILLS FOR PAYMENT:

Jack Zickafoose Financial Services - Work. Comp. \$7,610.99

AUTHORIZE CHAIRMAN TO SIGN

Annual Financial Report of Units of Local Government 1981

OUTSIDE LEGAL COUNSEL

The County Attorney submitted a letter to be sent to outside legal counsel for Manatee County, outlining procedures to be followed to effect reduced costs to the County for legal services.

Mr. Chance moved to authorize the Chairman to sign the letter. Motion was seconded by Mr. McGavic and carried unanimously.

RETAINED LEGAL COUNSEL

The County Attorney submitted a letter/agreement from E. Clinch Kavanaugh, III, for the Law Offices of Lane, Trohn, Bertrand & Williams, P.A., to act as retained counsel to represent Manatee County and as specifically requested as to projects and proceedings authorized by the Board of County Commissioners, at \$60.00-\$75.00 per hour.

Mrs. Glass moved to approve the agreement and authorize the Chairman to sign. Motion was seconded by Mr. Chance and carried unanimously.

RECORD AGREEMENT S31-1094

LEGAL COUNSEL: MANN & FAY, CHARTERED

The County Attorney submitted for consideration drafts of two letters to E. N. Fay, Jr., Mann and Fay, Chartered, terminating legal services concerning phosphate mining and other matters.

Motion was made by Mrs Glass to approve the letter and authorize the Chairman to sign. After discussion, motion was withdrawn and action deferred.

MARCH 23, 1982

Cont'd

SMOKING IN PUBLIC BUILDINGS, PROHIBITION OF

Mrs. Glass moved to authorize drafting of the appropriate ordinance to prohibit smoking in public buildings. Motion was seconded by Mr. Chance. Voting "Aye" were Commissioners Glass, Chance, McGavic and Vickers. Voting "Nay" was Commissioner Fletcher. Motion carried.

CORRESPONDENCE

Mr. McGavic moved to accept correspondence from:

1. Florida Department of Transportation, Re: Section 13140-SR64 from CR 675 nine miles to the East advising plan and availability of funds for repair and maintenance. (Damages Beker mining operations)
2. Florida Phosphate Council - Advising of legislation extending Florida Public Service Commission authority over interstate railways
3. John Greenhalgh supporting proposed zoning change to allow an elementary school to be constructed on Morgan Johnson Road.
4. James A. Gardner, State Attorney, correcting previous statements about E. P. Iaconis in memorandum dated 11/6/81.

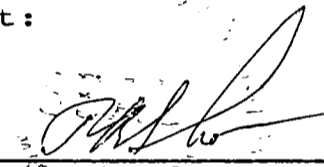
Motion was seconded by Mr. Chance and carried unanimously.

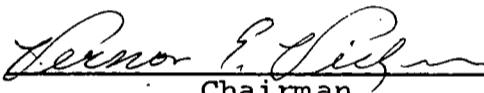
MEETING ADJOURNED

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

Attest:

APPROVED:

  
 Clerk

 8/24/82  
 Chairman

Adj: 4:19 p.m.