

MARCH 30, 1982

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, March 30, 1982 at 9:50 a.m.

Present were Commissioners:

Vernon E. Vickers, Chairman
Edward W. Chance, Vice-Chairman
Claude E. McGavic
Westwood H. Fletcher, Jr.

Absent was: Patricia M. Glass

Also present were:

Mary Greenwood, County Attorney
Robert F. Fernandez, Acting County Administrator
Peter H. Ramsden, Finance Director, representing
R. B. Shore, Clerk of Circuit Court

Representing the news media was Greg Spears, The Bradenton Herald, and others who entered during the meeting.

The meeting was called to order by Chairman Vickers.

AWARD (MERITORIOUS SERVICE)

A Meritorious Service Award was presented to Dudley E. Pittman for services rendered to the Manatee County Utilities Department.

LIONS CLUB - CANDY DAY

Upon motion by Mr. McGavic, seconded by Mr. Fletcher, a Proclamation was unanimously adopted proclaiming April 3, 1982, as "Lions Club Candy Day".

RECORD PROCLAMATION

S31-1100

MEDIC ALERT WEEK

Upon motion by Mr. Fletcher, seconded by Mr. McGavic, a Proclamation was unanimously adopted proclaiming April 4 - 10, 1982, as "Medic Alert Week".

RECORD PROCLAMATION

GARBAGE DISPOSAL - MANDATORY PICK-UP

S31-1101

At the request of Mr. McGavic, the Chairman announced that a work session would be scheduled as soon as possible to discuss mandatory garbage pickup with the Franchisees and the various municipalities.

AMAX CHEMICAL TAX APPORTIONMENT MANATEE/DESOTO COUNTIES

The Acting County Administrator was directed to schedule a joint meeting between this Board and the Board of County Commissioners of DeSoto County to discuss apportionment of taxes relating to Amax Chemicals phosphate mining operation.

FAIRMONT PARK, ONECO/FLOODING

The problem of flooding in Fairmont Park, off 51st Street in Oneco, due to lack of proper ditching was referred to the Highway Department for investigation and recommendations.

BUDGET AMENDMENTS: CANAL ROAD; COUNTY ADMINISTRATOR; EMERGENCY SERVICES

Motion was made by Mr. Chance and seconded by Mr. Fletcher, to:

- 1) approve the request of the Transportation Director to restore Canal Road from U.S. 301 to U.S. 41 (with minimal widening, restoration of shoulders and realigning the bridge),
- 2) approve Budget Amendment Resolution Agenda/ Addendum, adopting resolutions amending the 1981-82 budget to provide for the receipt and appropriation of unanticipated revenues and item to item transfers. Motion carried unanimously.

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The resolutions adopted were:

<u>TRANSPORTATION</u>			
(1)	From: Canal Road (82-135/1)		
	To: Transfer to Highway Capital	\$20,460.00	
		<u>RECORD RESOLUTION</u>	S31-1102
(2)	From: Canal Road (82-135/2)		
	To: Right of Way Transfer	\$230,000.00	
		<u>RECORD RESOLUTION</u>	S31-1103
(3)	<u>Increase Revenue (82-135/3)</u>		
	<u>Transfer Revenue (Highway Capital)</u>		
	<u>Increase Expenditures</u>		
	<u>Canal Road</u>	\$250,460.00	
		<u>RECORD RESOLUTION</u>	S31-1104
(4)	<u>COUNTY ADMINISTRATOR (82-139)</u>		
	From: County Administrator - Regular Salaries,		
	FICA, Retirement Contribution		
	To: County Administrator - Miscellaneous	\$20,229.00	
		<u>RECORD RESOLUTION</u>	S31-1105
(5)	<u>EMERGENCY SERVICES (82-140)</u>		
	From: Emergency Medical Services		
	To: Ellenton EMS-Fire Sta.	\$2,000.00	
		<u>RECORD RESOLUTION</u>	S31-1106

BRADEN RIVER FIRE DISTRICT

Mr. Chance reported that the Braden River Fire Department is planning to build a fire house on an unpaved road in a residential area having no drainage. It was recommended that action be taken to halt the project in the interest of public health, safety and welfare.

The matter was referred to the County Attorney and Director of the Highway Department for research and report regarding the zoning and road paving requirements.

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

STOCKADE

Public Emergency

Mr. Fletcher moved to adopt a

RESOLUTION OF BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, CERTIFYING THAT THE IMMEDIATE PREPARATION PLANS FOR A COUNTY STOCKADE CONSTITUTES A VALID PUBLIC EMERGENCY.

Motion was seconded by Mr. Chance and carried unanimously.

RECORD RESOLUTION S31-1107

Agreement - Engineering Services

Motion was made by Mr. Fletcher, seconded by Mr. Chance, to approve

SUPPLEMENTAL CONSULTING ENGINEERS AUTHORIZATION
TO ZOLLER & NAJJAR ENGINEERING, INC.,

to perform site engineering and architectural services on the Stockade Facility not to exceed \$5,000.00.

RECORD S31-1108

JAIL - OVERCROWDED CONDITIONS

Captain Sally McCammon, Sheriff's Department, reported on the status of overcrowded conditions in the County jail. She stated that the Palmetto jail facility will be available in approximately 10 days to house the County's sentenced inmates and that the State Attorney's office is initiating an on-site committee to review jail conditions monthly.

COUNTY ADMINISTRATOR CONSENT AGENDA AND ADDENDUM #1

Upon motion by Mr. Chance, seconded by Mr. McGavic, the County Administrator's Consent Agenda and County Administrator's Consent Agenda/Addendum #1 were unanimously approved.

Items approved on the Consent Agenda included:

HUMAN SERVICES

- (1) Modification Agreement with State Department of Community Affairs, October 1, 1981 through September 30, 1982, Chore Project and Manatee Opportunity Council's Mother Goose and Page Day Care Centers, State and local match total \$30,482.
RECORD AGREEMENT S31-1109
- (2) CETA Title VII On-the-Job Training Contracts:
 - a. P-101, Riverside Manor, \$1,138.40
 - b. P-102, Deane Machine & Supply, Inc., \$2,340.00.
 - c. S-036, Ramada Inn, \$1,256.25.
 - d. S-037, Island Canvas Products, \$1,487.40.

MATERIALS AND SERVICES

- (1) Lake Manatee Impoundment Facilities: Increase Purchase Order 40419 by \$4,187.82, Howard Needles Tammen & Bergendoff, for additions and improvements
- (2) Tree Cutting and Removal: Renew Bid 81-40-218-38, John's Tree Service, to 4/20/83
- (3) Island Branch Library: Award Bid 82-23-C00-07RR, D. L. Porter Construction Co., \$362,507.00
- (4) Aerial Maps: Agreement for Reproduction of Southwest Florida Water Management District Copyrighted Aerial Maps, to enable initiation of the Master Drainage Plan (cost \$1,075).
RECORD AGREEMENT S31-1110

TRANSPORTATION/TRANSIT

- (1) Manatee Association for Retarded Citizens: Execution of contract for County to provide bus transportation to participants in the Association's program, March 1-September 30, 1982, for \$1,464.00 per month.
RECORD CONTRACT S31-1111
- (2) Traffic Signal Maintenance: Execution of Operation Order No. 16 for signals at Cortez Road at 49th Street W., 43rd Street W., 34th Street W. and 26th Street W. (Agreement 5/15/79).
- (3) Deeds and Easements - Accepted:
 - a. Warranty Deed from Lloyd C. and Mary E. Baldwin - Parcel No. 5.1, Project No. 4035, for additional right-of-way on 33rd Street East & SR 70
 - b. R/W Easement from Country Lakes (60-foot)

UTILITIESLake Manatee/Ward Lake

Southwest Florida Water Management District (SFWMD)

Aquatic Weed Control Work Plan - Accepted;
Chairman authorized to sign letter endorsing.

MANATEE MEMORIAL HOSPITAL

- (1) Acceptance of Board of Trustees Minutes 2/22/82, Group Discussion and Committee Minutes 2/17, 2/25, 3/2 and 3/4/82; and Financial Statement for February 1982.

(End Consent Agenda)

CONCESSIONS: BALL PARKS/BEACHES

Action was deferred as to the format of Request for Proposals for Ball Parks and Beach Concessions Operations.

MANATEE MEMORIAL HOSPITAL - EQUIPMENT LEASING

The Acting County Administrator, gave a status report on the hospital equipment leasing and stated that bids are scheduled to be awarded on April 6, 1982, with closing taking place on April 15, 1982.

PERSONNEL: MANNING LEVEL AMENDMENTS

Action was deferred on a Personnel Manning Level Amendment to add one air conditioning and heating specialist (Materials and Services, deferred 3/18/82) to obtain quotations from private contractors.

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TRAVEL AUTHORIZATION

Motion was made by Mr. McGavic, seconded by Mr. Fletcher, to authorize Board members to attend the Florida Department of Transportation Public Hearing, April 5, 1982, in Bartow. Motion carried unanimously.

Motion was made by Mr. Fletcher, seconded by Mr. McGavic, to authorize Mr. Chance to attend the Southwest Florida Water Management District West Coast Regional Water Supply Authority meeting April 19, 1982, in Clearwater. Motion carried unanimously.

LAWSUIT: OCEAN DUMPING

The County Attorney referred to memorandum from William L. Earl, Attorney, Peeples, Earl, Moore & Blank (dated 3/12/82) advising that a lawsuit on behalf of the County has been filed against the U.S. Army Corp of Engineers and the Environmental Protection Agency, seeking to halt ocean dumping off the coast of Manatee County.

It was noted an issue may arise in this if actions as to whether the injuries from the illegal dumping activities are sufficient to allow the County to maintain the lawsuit and that the costs of prosecuting this suit will be substantial.

LEGAL COUNSEL: MANN & FAY CHARTERED

Motion was made by Mr. McGavic, seconded by Mr. Chance, to authorize the Chairman to sign two letters to E. N. Fay, Jr., Mann and Fay, Chartered, advising the firm's legal services

- (1) will no longer be needed by Manatee County, including Utilities, as of March 30, 1982.
- (2) advising the firm's legal services will no longer be needed for any legal matters that concern phosphate mining.

Motion carried unanimously.

No action was taken as to retaining the legal services of Mann & Fay in specific cases.

NO SMOKING ORDINANCE

The County Attorney submitted for consideration a copy of a "No Smoking" Ordinance adopted in Charlotte County. Action was deferred in order that she could obtain a copy of a less restrictive ordinance.

CORRESPONDENCE

Upon motion by Mr. Fletcher, seconded by Mr. Chance and carried unanimously, a petition was entered into the record from:

- = Colony Cove and area residents requesting 45 MPH speed limit on US 301, from Erie Road West to approximately 1,000 feet west of 72nd Street (Victory Road).

Upon motion by Mr. Fletcher, seconded by Mr. Chance and carried unanimously, correspondence was entered into the record from:

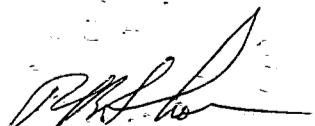
- = The office of Senator Pat Neal advising hospital legislation passed to empower the Board to lease or sell capital facilities of Manatee Memorial Hospital to non-profit corporation.

MEETING ADJOURNED

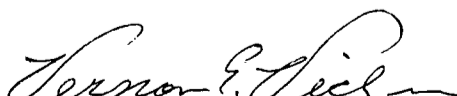
There being no further business, the meeting was declared adjourned.

Attest:

APPROVED:



Clerk



Chairman 8/24/83

Adj: 11:45 a.m.