

MAY 11, 1982

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, May 11, 1982 at 9:00 a.m.

Present were Commissioners:

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

Also present were:

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

Representing the various news media were Jay Greene, The Bradenton Herald; Jud Magrin, Sarasota Herald-Tribune; Betty Kohlman, St Petersburg Times, and others who entered during the meeting.

Invocation by Rev. Paul A. Ruff, Hope Lutheran Church.

The meeting was called to order by Chairman Vickers.

RECESS/RECONVENE

After a recess for the purpose of holding a special meeting of the Port Authority, the Board reconvened with all members present.

I-275 - COMPLAINT (ACCESS/CONSTRUCTION)

There were no objections to request by Mr Chance that the County Administrator investigate and report on complaints by area residents of inability to get on or off their properties due to construction of I-275.

MEALS ON WHEELS - BUDGET FY 1982-83

By letter of May 4, 1982, Reverend Kenneth D. Baar, Chairman, Board of Directors of Meals on Wheels, advised the agency had developed alternative plans for 1982-83 and funds would not be requested from the Commissioners for that period. He expressed hope, however, that the Commission would "leave the door ajar" for Meals on Wheels to reapply for County funds in 1983-84, if necessary.

TAMPA BAY REGIONAL PLANNING COUNCIL

Mr Fletcher reported that items discussed at a recent Tampa Bay Regional Planning Council meeting (5/10/82) included hurricane procedure and efforts to obtain legislation for additional funding for the Department of Transportation.

COURTHOUSE GROUNDS - FUN DAY

Motion was made by Mrs Glass, and seconded by Mr Chance, to grant permission to Jim Zinn to use the Courthouse grounds and surrounding area for the annual "Fun Day" festivities on Saturday, May 29, 1982. Motion carried unanimously.

MEMORIAL POPPY DAYS - PROCLAMATION

Whereas the American Legion Auxiliary, Kirby Stewart Unit #24 has set May 28-29, 1982 for Memorial Poppy Days, motion was made by Mr Fletcher and seconded by Mr Chance, to adopt a Proclamation proclaiming May 28-29, 1982 "Memorial Poppy Days in Manatee County". Motion carried unanimously.

RECORD PROCLAMATION S32-48

EMERGENCY MEDICAL SERVICES - CPR (CARDIO PULMONARY RESUSCITATION)

Jimmie Hamrick, Director of Emergency Medical Services, and Brent Biehl, Training Officer, presented a plaque and pins to the Commissioners to formalize their completion of the County CPR training program.

HOUSING FINANCE AUTHORITY

In response to recent allegations in local newspapers, Dozier Hilliard, Chairman, Manatee County Housing Finance Authority, reported that the Authority had obtained from VEREX (administrator of the program) an accurate list of actual home buyers and the matter had been referred to the State Attorney for investigation.

E.N. (Bill) Fay, Attorney for the Authority, summarized remedies available to the Authority for recouping any losses.

PALMETTO - WATER SERVICE

Kenneth Burton, Mayor, City of Palmetto, Hugh McGuire, City Attorney, David Haley, Engineer, and members of the City Council came before the Board in an effort to resolve differences between the City and the County arising from the installation of approximately one mile of water line by Manatee County Utilities System along 33rd Street, Palmetto, running west from US 41 to 14th Avenue West. The City proposed to purchase the line, together with an 8" meter at the point of beginning on US 41, and loop the line over to 14th Avenue to provide water service and fire protection to that area.

Jim Rhinehart and R.A. Wilford, Director, Utilities System, were available to answer any questions and Mr Rhinehart pointed out the disputed area on a map. He advised that the 12-inch line, decreasing to 10-inches, was requested by Mr Preston of Manatee Fruit Co., Leisure Lakes Mobile Home Park and Palmetto Point Subdivision.

Mr Fay highlighted the Final Judgment issued by the Court, September 25, 1979, as a result of litigation over the "green" area and water rates. It was his opinion that the County had legal right to install the water line under conditions of that Judgment. As to the proposal by the City to purchase the line, Mr Fay pointed out that bond covenants require that, if the amount involved is less than \$50,000, the MCUS Director must certify in writing that the facilities are no longer necessary, useful or proper in the operation of the County water system. If the amount is in excess of \$50,000, the Director and the Engineers must make the same finding of fact; and if in excess of \$500,000, two-thirds of the bonds holders must agree to the sale.

In response to a question by Mr Fletcher, Mr Wilford stated that he is not willing to certify that the facilities are unnecessary to the operation of the County water system because he believes that it is in the interest of the County to retain the lines.

Robert Hunt, Palmetto City Councilman, recommended settling any differences without lawsuits for the sake of economy.

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

BEKER PHOSPHATE CORPORATION

John Harllee, Attorney, and Gary Montin, Director of Community and Environmental Affairs for Beker Industries Corporation, reported that Beker's pre-mining activities are basically on schedule and summarized Beker's accomplishment since February 26, 1982.

RIVERVIEW LANDINGS SUBDIVISION - PARTICIPATION AGREEMENT (SEWER)

Based on the recommendation of the Utilities Director, motion was made by Mrs Glass, and seconded by Mr Chance, to approve and authorize execution of

Participation Agreement with National Development Corporation for additional depth and footage of the sewer main on Purslane Place in Riverview Landings Subdivision, at an amount not to exceed \$4,842.00.

Motion carried unanimously.

RECORD AGREEMENT S32-49

UTILITIES BILLING SYSTEM - SOFTWARE

Based on recommendation of Alexander Grant Company, Software Consultant, motion was made by Mr Fletcher, and seconded by Mr McGavic, to reject all bids on software for the Utilities Billing System and readvertise for bids. Motion carried unanimously.

MAY 11, 1982

Cont'd

Mr Fletcher moved that the advertising be reviewed, and restructured if necessary, and staff be authorized to readvertise for bids. Motion was seconded by Mr McGavic and carried unanimously.

ELWOOD PARK II BOOSTER STATION - BAY CON GENERAL

Motion was made by Mr Fletcher, seconded by Mr McGavic, and carried unanimously to authorize payment to

Bay-Con General, Inc - in the amount of \$120,000
(Project 630-761-85/04 - Elwood Park II Booster
Water Treatment Plant Improvements)

PERSONNEL MANNING LEVELS/AMENDED - UTILITIES

Upon motion by Mr McGavic, seconded by Mr Fletcher, a resolution was unanimously adopted to amend authorized personnel manning levels in the

UTILITIES DEPARTMENT

To add: (1) Mechanic II; Delete: (1) Mechanic I position
(no change in number of employees - 232)

RECORD RESOLUTION

STATE COASTAL ZONE MANAGEMENT PROGRAM (GRANT) - MANATEE RIVER ^{Personnel} STUDIES

Charlie Hunsicker, Utilities Department, requested authorization to submit two grant application proposals to the Department of Environmental Regulations (in the amount of \$50,000 each) for studies of the Manatee River under the State Coastal Zone Management Program.

Motion was made by Mrs Glass to authorize the Utilities Department to submit grant application proposals for studies of the Manatee River in accordance with applicable sections of the State Coastal Zone Management Program. Motion was seconded by Mr Fletcher and carried unanimously.

COUNTY ADMINISTRATOR CONSENT AGENDA

Upon motion by Mr McGavic, seconded by Mrs Glass, the County Administrator's Consent Agenda (dated May 11, 1982) was unanimously approved with two exceptions:

- 1) DEFER execution of grant application for the Summer Food Service Program for Children
- 2) DELETE execution of 911 contracts and consider as separate item.

Items covered in approval of the Agenda included:

MANATEE MEMORIAL HOSPITAL

Acceptance of Financial Statement - March 1982, Minutes of the Board of Trustees - March 22, 1982, and Group Discussion & Committee meetings - March 17 & 30; April 6, 7, & 20, 1982.

HUMAN SERVICES

- 1) Waiver of bid procedures to procure a food vendor for the Summer Food Service Program for Children.
- 2) CETA: Execution of the Annual Plan Subpart G, No. 12-2-0165-32, Title IV Summer Youth Employment Program (SYEP) of the Comprehensive Employment and Training Act (CETA) in the amount of \$258,023 to provide employment and training to economically disadvantaged youth during summer months.

UTILITIES

- 1) Well Field Water Supply System, Bid 82-63-218-66 - Authorization to negotiate for executed contract with Camp Dresser & McKee, Inc for engineering services.
- 2) Submersible Sewage Pumps, Bid 82-78-720-60 - Award to D.Q. Whitehair & Associates, \$9,750.00.
- 3) Peabody Barnes Pumps, Bid 82-76-720-00 - Award to Triad Tech Inc., \$5,367.16.

DEEDS & EASEMENTS

Acceptance of Utility Easement from F.P.A. Corporation (in the right of way of Country Club Way, Extended)

TRANSPORTATION

- 1) Filter Media Sand and Brown River Gravel, Bid 82-82-210-06 - Award to Gould Trucking, Inc., \$10,800.00; award to Tampa Coal Company, \$17,160.00.
- 2) Driveway Affidavit procedure for: 1) Gary Smith; 2) Donald & Jennifer Haga; 3) William M. Watkins

BUDGET AMENDMENTS

Motion was made by Mr McGavic, and seconded by Mr Fletcher, and carried unanimously, to
 = rescind Sheriff's Budget Account Amendment No. 7 (approved in the amount of \$23,279 (approved 3/23/82)
 = approve Revised Amendment No. 7 in the correct amount of \$23,379

and adopt resolutions amending the 1981-82 budget to provide for item to item transfers and for receipt and appropriation of unanticipated funds as follows:

UTILITIES

- 1) From: Maintenance & Reserve for Contingency (82-183)
 To: Equipment & Building Maintenance \$17,500.00
RECORD RESOLUTION
- 2) From: Retained Earnings (82-185/2) S32-50
 To: Surplus Construction \$442,442.00
RECORD RESOLUTION
- 3) From: Reserve for Contingency (82-186) S32-51
 To: Meter Section \$23,000.00
RECORD RESOLUTION

SHERIFF

- 4) From: General Fund Revenue/Interest (82-184) S32-52
 To: Constitutional Officer Budget \$100.00
RECORD RESOLUTION

UTILITIES

- 5) Increase Revenue: (82-185/1) S32-53
 Transfer from Operating
Increase Expenditures:
 Relocation/Improvement of
 Water/Sewer Lines \$442,442.00
RECORD RESOLUTION

AGRICULTURE

- 6) Increase Revenue: (82-187) S32-54
 General Fund/Miscellaneous Income
Increase Expenditure:
 Utilities \$4,348.00
RECORD RESOLUTION S32-55

BUDGET POLICY

Action was deferred on the proposed Budget Policy for Fiscal Year 1982-83 until the matter can be discussed in detail, possibly in a work session.

PALMETTO WATER LINE

Hugh Joris, Federation of Manatee County Communities, expressed opposition to the sale of the water lines (on 33rd St W. in Palmetto) to the City of Palmetto.

911 SYSTEM - CONTRACTS (GENERAL TELEPHONE CO.; NCR CORP.; STATE OF FLA)

The Director of Materials & Services Department submitted and recommended approval of the following contracts and agreements for purchase and installation of a telephone system and a computer system that will comprise the Manatee County 911 Emergency Communications Center:

- = GTE/Communications System Purchase Agreement \$ 109,191.35 S32-56
- = NCR Corporation - \$1,129,837.30 S32-57
- = NCR Corporation - 209,305.80 S32-58
- = Florida Department of General Services,
 Division of Communications - 109,191.35 S32-59
 (GTE/Equipment Schedule & Warranty Statement)
- = Florida Department of General Services
 Division of Communications - 90,808.65 S32-60

MAY 11, 1982

Cont'd

He pointed out that, after a basic one-time cost of \$415,000, the monthly cost of the 911 System will be approximately \$17,636.61.

Motion was made by Mrs Glass to approve and authorize execution of the 911 telephone system and computer system contracts. Motion was seconded by Mr Fletcher and carried unanimously.

RECORD CONTRACTS

S32-56 - S32-60

ROAD & PAVEMENT MAINTENANCE STUDY - BARTHOLOMEW

Motion was made by Mrs Glass, and seconded by Mr Chance, to authorize the Chairman to sign Agreement with Harland Bartholomew & Associates, Inc., as consultants, to render technical and/or professional services in connection with the Road and Pavement Maintenance System Study, for a total sum of \$129,000.00. Motion carried unanimously.

RECORD AGREEMENT

S32-61

COMPREHENSIVE PLANNING & LAND DEVELOPMENT CODE
RECREATIONAL VEHICLE PARK

Motion was made by Mrs Glass, and seconded by Mr Chance, to adopt

RESOLUTION INITIATING TEXT AMENDMENTS TO THE MANATEE COUNTY COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, ORDINANCE 81-4.

to revise the R-5, Recreational Vehicle Park Section of the Manatee County Comprehensive Planning and Development Code. Motion carried unanimously.

RECORD RESOLUTION

S32-62

PUBLIC SAFETY COMPLEX (HOBBS)

Motion was made by Mr Chance, seconded by Mrs Glass, and carried unanimously to authorize payment to:

Hobbs Construction & Development, Inc - \$484,972.20
(Application No. 9 - Public Safety Complex Project).

FERNANDEZ, ROBERT F. - ANNUAL LEAVE

Motion was made by Mr Chance, seconded by Mrs Glass and carried unanimously, to authorize Robert F. Fernandez, Acting County Administrator, to take annual leave from 8:00 a.m., May 17 through May 21, 1982.

1982 FARM CITY WEEK COMMITTEE/PETITION - AGRICULTURE EXTENSION

Mr Fernandez read a petition signed by members of the 1982 Farm-City Week Committee urging the Board to restore any budgetary cuts to the County Extension Program.

Richard Aalberg, County Extension Agent, will be invited to report to the Board on the status of the County Extension Program.

CLERK'S CONSENT CALENDAR

Upon motion by Mr Fletcher, seconded by Mrs Glass, the Clerk's Consent Calendar dated May 11, 1982 was unanimously approved as follows:

BONDS:

Sheriff's Public Employees' Blanket Bond (Auto-Owners Insurance Company Bond No. 767012-20210325) - Additions & Deletions

ADDITIONS:

Julia Mann	Rel. School Crossing Guard
Chester Mann	Rel. School Crossing Guard
Martin Welker	Patrol Deputy
Robert Quinn	Communications
Gertrude Masarik	Communications PBX PT
Anthony J. Meador	Special Deputy, BPD Narcotics
Mark Burton	Correctional Officer
Paul Winsker	Patrol Deputy
Margaret Palino	Communications PBX PT

MAY 11, 1982

Cont'd

ADDITIONS: (Cont'd)

Charles Pead	CIC Operator
Eric Cullars	Communications PT
John Reynolds	Crime Prevention PT
Richard Tatum	Civil Deputy
Pete Henderson	Civil Deputy
Harold Brown	Operations Sup.

DELETIONS:

Lynn Frye	Operations Supp
Meriett Sheckler	Rel. School Crossing Guard
Frank Todd	Correctional Officer
Arthur Zabinski	Crime Pref. PT
John Tuttle	Correctional Officer
George Ferrell	Correctional Officer
Richard Hough	Patrol Deputy

BILLS FOR PAYMENT:

Zoller & Najjar Eng. - Settlement checks (PSC)	212.50
CH2M Southeast, Inc. - Eng. Srvcs. re preparation of wastewater management plans (final)	1,453.24
Wendel Kent & Co. - Proj. #5019 (Payment #1)	8,229.60
Woodruff & Sons - Proj. #5012 (Payment #3)	25,024.17
Camp, Dresser & McKee - Relocation of Water Main at U.S. 41 & S.R. 93 (Payment #3)	12,967.16
D. L. Porter Const. - Const. Island Library (Payment #1)	8,067.60
Whitcomb & Christopher: Audit of MCUD, FYE 9/30/81	3,100.00
Prep. of Cnty-wide statements	4,500.00
Black & Veatch - Eng. Srvc. re Wtr. Rate Litigation	1,081.28
Hewitt Contracting Co., Inc.- Proj. #4025 (Payment #2)	117,702.95
Refund: Geo. E. Seeley - P&R	84.24
Refund: Joseph W. Miklavck - P&D	150.00

WARRANT LIST:

Approve: May 4 to May 11, 1982
Authorize: May 11 to May 18, 1982

MINUTES FOR APPROVAL:

Regular Meetings: October 8, 13, 20, 1981
Public Hearings: October 12, 19, 21, 1981

ACCEPT FOR RECORD:

County-Wide Financial Statements - Volumes 1 & 2 Annual (Financial Report 1980-1981, prepared by Whitcomb, Christopher, Smith & Gentile).

RECESS/RECONVENE

The meeting was declared recessed until 1:30 p.m.

The Board reconvened at 1:50 p.m. with all members present.

SARASOTA - WATER RATES

Mary Greenwood, County Attorney, stated that because negotiation is still in process, a report on the Sarasota Water Rate Lawsuit has been removed from today's Agenda.

ESTECH - LAWSUIT (GOLDSTEIN & TANNEN)

Ms Greenwood reported that the County was served, 5/10/82, with a petition by Estech General Chemicals Corporation for Writ of Mandamus and complaint for a Declaratory Judgment concerning the County Mining Ordinances and moratorium on acceptance of mining applications. She recommended that the Board authorize Rick Goldstein attorney to represent the County in this litigation.

Mr Fletcher questioned the wisdom of changing firms when it was noted that Mr Goldstein is no longer associated with the Firm of Peeples, Earl, Moore, Blank & Smith, Attorneys previously representing the County in Estech lawsuits/hearings.

Motion was made by Mr McGavic to retain the firm headed by Rick Goldstein (Goldstein & Tannen) to defend the County in this Estech suit. Motion was seconded by Mr Chance. Voting "Aye" were Mr McGavic, Mr Chance, Mrs Glass and Mr Vickers. Mr Fletcher voted "Nay". Motion carried.

MEETING RECESSED

The meeting was declared recessed at 1:55 p.m. for a scheduled work session with the Island Communities.

= = = = =

The Board reconvened at 4:15 with all members present.

AUDITOR SELECTION COMMITTEE

The County Administrator made a public announcement that the Auditor Selection Committee will meet May 12, 1982 at 1:30 in the County Administrator's conference room.

DATA PROCESSING CENTER - PUBLIC SAFETY COMPLEX

Based on the recommendations of the Director of Materials and Services and the County Administrator, Mr McGavic moved to authorize staff to take the necessary action to have the Data Processing Center relocated to the new Public Safety Complex, such action to include meeting with the Architects and preparing necessary change orders. Motion was seconded by Mr Fletcher for discussion. He suggested amending the motion to require any cost adjustments brought back to the Board before final approval. There were no objections, and amended motion carried unanimously.

CONCESSIONAIRE AGREEMENTS


Mrs Glass moved to approve all the Concessionaire Agreements (formats) and authorize the advertising thereof. Motion was seconded by Mr Chance, with request the motion include authorization for the Chairman to send a letter to Mayor Richard Connick, City of Bradenton Beach, advising him of this action of the Board. Mrs Glass concurred with that amendment. Voting "Aye" on the amended motion were Commissioners Glass, Chance, McGavic and Vickers. Commissioner Fletcher voted "Nay". Motion carried.

MEETING ADJOURNED

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

Attest:

APPROVED:



Clerk



Chairman 7/9/14/82

Adj: 4:30 p.m.