

JULY 20, 1982

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, July 7, 1982 at 9:08 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
David Rothfuss, representing the County Administrator
R. B. Shore, Clerk of Circuit Court

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

Invocation by Rev. Philip Gold, Associate Minister, First Presbyterian Church.

The meeting was called to order by Chairman Vickers.

COUNTY STOCKADE - CONSTRUCTION PERFORMANCE STANDARDS

Mr. McGavic reported that several building manufacturers have contacted him regarding construction of the stockade facility at Port Manatee and the possibility they may be able to provide the facilities at lesser cost than the conventional construction techniques.

He recommended and moved that staff prepare a set of performance standards, which could be sent out as Request for Proposals to determine type of construction and method of financing, and that the Department of Corrections be requested to review those standards with the Board. Motion was seconded by Mrs Glass and carried unanimously.

AWARDS (MERITORIOUS SERVICE)

A "Good Neighbor" Award and Meritorious Service Awards were presented to Dr. William Bashaw, Superintendent of Schools, and Robert Nelson, President of Channel 40, in recognition of outstanding community contributions from Manatee Junior College, Bayshore High School and WXLT TV.

A Meritorious Service Award was presented to Bob Hofmann, Assistant Transportation Director, in recognition of distinguished contributions to the cause of efficient County government for the Handi-Bus Program and Employee Assistance Program.

STAFFILES, ANTHONY - EASEMENT/DITCH RELOCATION

Anthony Staffiles, 6528 33rd Street East, complained that his tax notice indicated the County has taken fifteen feet of his property for right-of-way easement without compensation to him; also, County has not relocated a ditch on the north boundary of the parcel as promised.

The matter was deferred until later in the meeting pending investigation by the County Attorney, Transportation Director and Property Appraiser.

ELECTIONS PRECINCTS

Jerome Davis, Supervisor of Elections, reported that the Legislature realigned certain Manatee County election precincts and presented a map showing the boundaries affected by the redistricting.

He requested approval of the corrections of the princincts within the districts. Mr. Fletcher so moved. Motion was seconded by Mrs. Glass. Voting "Aye" were Commissioners Fletcher, Glass, McGavic and Chance. Voting "No" was Commissioner Vickers. Motion carried.

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

STAFFILES, ANTHONY - EASEMENT/DITCH RELOCATION

Philip Davis and John Thomas (Transportation and Highway) reported that the ditch on the Staffiles property would be relocated, and the taking of the right-of-way appears to be a scrivener's error, which will be resolved by the Property Appraiser.

RECESS/RECONVENE

The Chairman declared the meeting recessed in order for the Board to convene as the Manatee County Port Authority.

The Board reconvened at 10:59 a.m. with all members present.

PORT AUTHORITY

Mr. McGavic announced that a Special Port meeting would be held on Thursday, July 22, at 11:00 a.m.

DISASTER RELIEF FUND

Upon motion by Mr. Fletcher, seconded by Mr. McGavic, a resolution was unanimously adopted designating Vernon E. Vickers, as Agent for Manatee County, to execute an application for Federal financial assistance under the Disaster Relief Act or otherwise available from the President's Disaster Relief Fund.

RECORD RESOLUTION

S32-256

The format of a State/Local Disaster Relief Funding Agreement, submitted by Jimmie Hamrick, Emergency Medical Service Director, was reviewed and discussed.

CHILD DAY CARE SERVICE (TITLE XX) - GRANTS REVIEW COMMITTEE

Barbara Johnson, Acting Director of Human Services Department, submitted recommendation that KATHY SNELL, STEVE McGRATH, KATHY DWYER and JULIE TAYLOR be appointed to a grants review committee to evaluate Title XX Child Day Care proposals, and requested the Chairman be authorized to sign a letter to the Department of Health and Rehabilitative Services transmitting those names.

Motion was made by Mrs. Glass, and seconded by Mr. Chance, to approve the appointments to the grants review committee for Title XX Child Day Care. Motion carried unanimously.

GAS TAX (9 CENT) REFERENDUM

The Transportation Director referred to memorandum from Frank Buskirk, Manatee Chamber of Commerce, dated July 9, 1982, recommending that the referendum regarding the 9th cent gas tax be postponed until May 1983.

During discussion it was pointed out that gas tax monies are greatly needed for road improvements.

Avery Gould, 9907 Spoonville Road, spoke in favor of placing the matter on the September 1982 ballot.

Motion was made by Mr. Chance, and seconded by Mr. Vickers (who stepped down as chairman), that the Board reaffirm the adoption of a previous resolution (which set the date for referendum in September, 1982). Motion carried unanimously.

RECESS/RECONVENE

The Chairman declared the meeting recessed until 1:30 p.m.

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

COUNTY LINE ROAD (MAINTENANCE/ACCESS)

John Thomas, Transportation Department, reported that after completion of County Line Road (SR-610) from I-75 to U.S. 301, the State will turn it over to Manatee and Sarasota Counties for maintenance. This matter, as well as land use on the corridor and financing of future improvements, will be discussed at a joint meeting of the Boards of County Commissioners of Manatee and Sarasota Counties, which is scheduled July 28, 1982.

Memorandum from Larry Frazier, Planning & Development Director, and Philip A. Davis, Transportation Director, jointly recommended that Manatee County perform the maintenance on a cost-share basis, that intersections not be closer than one-half mile intervals, that new access be allowed only at improved intersections, and that new intersections be limited to cross intersections wherever possible.

Discussion followed regarding land use, requiring construction of frontal roads and financing of improvements.

The Board concurred with staff recommendations but expressed concern about the possibility of a property owner becoming "locked in."

COUNTY ADMINISTRATOR (FERNANDEZ)

Robert Fernandez submitted an Employment Agreement proposing an annual base salary of \$48,000 and a resolution appointing him as County Administrator.

A starting salary of \$45,000 was recommended in view of the fact that a cost of living increase would be forthcoming in October.

Mr. Fletcher moved to adopt the resolution appointing Robert Fernandez County Administrator. Motion was seconded by Mr. McGavic. After discussion, motion and second were withdrawn.

Motion was made by Mr. Chance, and seconded by Mrs. Glass, to approve the employment agreement with a base salary of \$45,000 instead of \$48,000, retroactive to April 1, 1982. Voting "Aye" were Commissioners Chance, Glass, McGavic and Vickers. Voting "No" was Commissioner Fletcher. Motion carried.

RECORD AGREEMENT

S32-257

Mr. Fletcher moved to adopt the resolution appointing Robert Fernandez County Administrator. Motion was seconded by Mrs. Glass and carried unanimously.

RECORD RESOLUTION

S32-258

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

INDUSTRIAL DEVELOPMENT REVENUE BONDS: APPLIED OPTICS CENTER CORP.

Upon motion by Mr. Fletcher, and seconded by Mrs. Glass, Resolution was unanimously adopted

AUTHORIZING THE ISSUANCE OF MANATEE COUNTY, FLORIDA INDUSTRIAL DEVELOPMENT REVENUE BOND, 1982 SERIES (APPLIED OPTICS CENTER CORPORATION PROJECT) IN THE PRINCIPAL AMOUNT OF \$2,000,000; AUTHORIZING THE ACQUISITION, CONSTRUCTION AND INSTALLATION, FINANCED WITH THE PROCEEDS OF SAID BOND, OF CERTAIN INDUSTRIAL AND MANUFACTURING FACILITIES WITHIN THE JURISDICTION OF MANATEE COUNTY, FLORIDA, AND THE LOAN THEREOF TO APPLIED OPTICS CENTER CORPORATION; PRESCRIBING THE FORM OF THE TRUST INDENTURE TO SECURE SAID BOND AND AUTHORIZING THE EXECUTION THEREOF; PRESCRIBING THE FORM OF THE LOAN AGREEMENT, MORTGAGE AND SECURITY AGREEMENT AND AUTHORIZING THE EXECUTION THEREOF; APPROVING THE FORM OF THE GUARANTY AGREEMENT; PROVIDING FOR THE RIGHTS OF THE HOLDERS OF SAID BOND; AUTHORIZING AND APPROVING THE EXECUTION OF THE CONTRACT OF PURCHASE; AND MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE ISSUANCE OF SAID BOND.

RECORD RESOLUTION

S32-259

INDUSTRIAL DEVELOPMENT REVENUE BONDS: COMMERCIAL CARRIER CORPORATION

Upon motion by Mr. Chance, and seconded by Mrs. Glass, Resolution was unanimously adopted

AUTHORIZING THE CONSTRUCTION AND EQUIPPING OF A TERMINAL FACILITY FOR COMMERCIAL CARRIER CORPORATION TO BE LOCATED IN MANATEE COUNTY, FLORIDA;

appointing Mudge Rose Guthrie & Alexander as bond counsel to County and authorizing execution of a

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PRELIMINARY AGREEMENT FOR ISSUANCE OF INDUSTRIAL DEVELOPMENT
REVENUE BONDS

in the aggregate principal amount necessary and sufficient to finance the Cost of the Facilities, which principal amount of such Bonds shall not exceed the lesser of (a) the Cost of the Facilities or (b) \$10,000,000.

RECORD RESOLUTION S-32-260
RECORD AGREEMENT S-32-261

FLOODPLAIN STUDY (LOWER MANATEE RIVER)

Mrs. Glass moved that the Chairman be authorized to sign a letter transmitting the Reynolds, Smith and Hills "Floodplain Study for the Lower Manatee River" to the Federal Emergency Management Agency for input into the preparation of revised Flood Insurance Rate Maps for Manatee County. Motion was seconded by Mr. Fletcher and carried unanimously.

BEER CAN ISLAND: PARKING

Discussion of the parking problem on Beer Can Island was deferred until Tuesday, July 27, 1982, to afford the Director of the Parks and Recreation Department an opportunity to be present.

AFFIRMATIVE ACTION PLAN

Mr. McGavic moved to adopt a

RESOLUTION ADOPTING THE REVISED MANATEE COUNTY
AFFIRMATIVE ACTION PLAN

(reaffirming policy to insure equal opportunity in employment to all persons...). Motion was seconded by Mrs. Glass and carried unanimously.

RECORD RESOLUTION S32-262

PUBLIC SAFETY COMPLEX (4TH FLOOR REDESIGN)

Motion was made by Mr. McGavic, and seconded by Mrs. Glass, to authorize Frizell Architects to proceed with the redesign of the fourth floor of the Public Safety Complex at an estimated total amount of \$6,500 to \$8,200. Motion carried unanimously.

HISTORICAL COMMISSION

Motion was made by Mr. McGavic, and seconded by Mr. Chance, to authorize a public hearing on amending Historical Commission Ordinance 74-13 to clarify and revise the role of the Manatee County Historical Commission. Motion carried unanimously.

COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mr. McGavic, seconded by Mr. Chance, the County Administrator's Consent Agenda was unanimously approved with the deletion of one item under Emergency Services/Civil Defense Division: Designation of Bernice Wilder as Civil Defense Chief.

Items APPROVED on consent agenda included:

INSURANCE/WORKER'S COMPENSATION (WASHINGTON)

Recommendation by E. N. Fay, Jr., to accept offer of settlement by Harry G. Goodheart III, for attorney's fees \$1,090.00 (Re: Paul V. Washington - worker's compensation.)

PUBLIC SAFETY COMPLEX

Ardaman & Associates - payment of \$740.63.

HUMAN SERVICES

1. CETA Title VII On-the-Job Training Contract:
P-109, Certified Marine Repair, Inc., \$1,035.00.
2. HOMEMAKER PROGRAM - Execution of First Modification Agreements with (1) Manatee County Community Mental Health Center, Inc. (\$21,603.); (2) Florida Home Health Services - Manasota (\$63,130.)

RECORD AGREEMENTS S32-263
S32-264

BRADEN RIVER FIRE CONTROL & RESCUE DISTRICT

Execution of Bond and acceptance of Oath of Office:
Jimmie Hamrick, Fire Commissioner, \$1,000.00
(NOTE: No surety named.)

TRANSPORTATION/HIGHWAY

1. Mobile Bus/Truck Lift - Bid No. 82-107-070-00 - award to SEFAC Trading Corp., \$18,800.00
2. Tandem Drive Convention Semi-Tractor - Bid No. 82-131-070-77, \$66,387.42; Tandem Drive Diesel Dump Trucks - Bid No. 82-118-070-77: Three (3) 1981 Dump trucks \$112,385.00 and One (1) 13-speed 1981 Dump truck \$36,400.00 - award to Robbins International
3. Pothole Patcher with Cab and Chassis - Bid No. 82-130-755-00, \$38,116.34; Semi-Tractor with Diesel Engine, Bid No. 82-116-070-77 - \$38,250.85, award to Bill Currie Ford
4. 2-1/2 Ton Flatbed Dump Trucks (6) - Bid No. 82-117-070-77 award to Roger Whitley Chevrolet, \$127,680.00
5. 12G Motor Grader-Caterpillar - Purchase from Rozier Machinery Company, \$113,500.00

UTILITIES

1. Lake Manatee - Manning Property
Adoption of RESOLUTION AUTHORIZING USE OF "QUICK TAKING" CONDEMNATION PROCEEDINGS FOR PUBLIC USE AND PUBLIC PURPOSE OF CONSTRUCTING AN EMERGENCY SPILLWAY AS PART OF THE PUBLIC UTILITIES SYSTEM IN MANATEE COUNTY...
RECORD RESOLUTION S32-265
2. Wilson Coastal Enterprises, Inc. - Decrease contract \$1,463.88 (I-275 future water/sewer crossing).
3. Execution of Agreement with Credit Bureau, Inc. of Georgia to provide subscriptions to Weekly Bulletins.
RECORD AGREEMENT S32-266
4. Authorization for appraisals/negotiation for properties for construction of new wastewater treatment plant.

EMERGENCY MEDICAL SERVICES

- Annual Medical Supplies - Bid No. 82-110-277-20 - Award to
- | | | |
|-----------------------------------|-----------------------|----------------------|
| Aero Products | Durr-Fillauer Medical | Whittaker General |
| Dyna Med, Inc. | Zee Medical Service | Physio-Control Corp. |
| Medical Supply Co | | Tampa Medical Supply |
| Emergency Medical & Safety Supply | | |

PARKS & RECREATION

- Artificial Fishing Reef Program Project
Adoption of
RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A
FLORIDA ARTIFICIAL FISHING REEF PROGRAM PROJECT AGREEMENT
with Florida Department of Natural Resources (approving, ratifying and confirming action of June 15, 1982) for construction of Three Mile Reef and One Mile Reef, \$40,000.00.

RECORD RESOLUTION

DEEDS & EASEMENTS - Accepted:

S32-267

1. Drainage Easement from Alice A. Cutrona (Orange Park Sub.)
2. F/S Deed from Florida Mining & Materials Corp.
3. W/Deed from P.K. Properties (Frank Pupello and William A. Krusen)
4. W/Deed from Shop & Go, Inc. (r/w 63rd Ave E & US 301)
5. W/Deed from Lawrence E and Ina Staab (r/w 26th Street W.)
6. Utility Easement from Carl F. and Norma G. Fortner; Donald A. and Patricia A. Vincent; Robert D. Godwin; Earl Robert Schwinne (P/R Estate of Sophia Brown f/k/a Sophia Beevers) (Easement retained in vacation of portions of streets in Orange Ridge Subdivision - 82-V-3)

DISCLAIMERS

1. Fairmont Park Subdivision - Disclaimer of 10-foot easement (Plat Book 4, Page 141) by request of Zenen D. Delgado General Contractors, Inc.,
2. Palma Sola Woods Subdivision - Disclaimer of drainage easement (Plat Book 20, Pages 133, 134) by request of Donald R. and Glenda J. Busey.
3. Holiday Heights Subdivision - Disclaimer of drainage and utility easement from 771 Corp., dated 4/23/75 (recorded OR Book 719, pages 281-283) by request of The Schroeder Company, Inc. (Governor's Walk Condominium).

CORRESPONDENCE - Accepted:

1. Federation of Manatee County Community Association regarding:
 - a) Merger of MCUD with City of Bradenton
 - b) Favoring Clean Air Act

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2. Laura Purdy, Shirley Kulp, Paulette Browning, & Charles Hackney opposing proposed Day Care legislation.
3. Lt. Commander U.S. Coast Guard, and Anna Maria Island Chamber of Commerce, regarding proposed drawbridge opening regulations.
4. Anna Maria Island Chamber of Commerce opposing 6-cent sales tax.
5. Sally McCammon, Sheriff's Department, State Funding local jails.
6. Cathy Cunningham, opposing No Smoking Ordinance.

(End Consent Agenda)

BUDGET AMENDMENTS

Upon motion by Mr. McGavic, and seconded by Mrs. Glass, nine resolutions amending the 1981-82 Budget to provide for the receipt and appropriation of unanticipated revenues and item to item transfers were unanimously adopted (one department decrease) and two resolutions adopted in prior meetings were rescinded.

Resolutions Rescinded

- 1) Insurance Risk, \$85,000 (82-91/adopted January 26, 1982)
- 2) Hospital, \$2,600,000 (82-175/adopted May 27, 1982).

Resolutions Adopted

- 1) UTILITIES (82-203)
From: Sludge Modification; 2MDG Plant
DAVCO; Cortez Road Relocation;
To: Sewer Reconstruction
\$148,530
RECORD RESOLUTION S32-268
- 2) CLERK OF CIRCUIT COURT (82-242)
Decrease Revenue
General Fund Revenues
Decrease Expenditures
Clerk of the Circuit Court
\$60,000
RECORD RESOLUTION
- 3) MEDICAL EXAMINER (82-233)
Increase Revenue
General Fund Revenue
Increase Expenditures
Medical Examiner
\$7,781
RECORD RESOLUTION S32-269
- 4) HOSPITAL (82-243)
Increase Revenue
Hospital/Loan Proceeds
Increase Expenditures
Hospital Contribution
\$2,600,000
RECORD RESOLUTION S32-270
- 5) HIGHWAY (82-244)
Increase Revenue
Highway - Loan Proceeds
Increase Expenditures
Highway - Road Equipment
\$1,486,790
RECORD RESOLUTION S32-271
- 6) HUMAN SERVICES (82-247)
From: Grant Services
To: Medical Examiner
\$7,218
RECORD RESOLUTION S32-272
- 7) SHERIFF (82-245)
From: General Fund Reserves
To: Sheriff
\$216,814
RECORD RESOLUTION S32-274
(and Sheriff's Department Budget Account Amendment No. 10,
\$216,814.00).
- 8) CENTRAL STORES (82-246/1)
From: Reserve for Contingency
To: General Fund Transfers
\$350,000
RECORD RESOLUTION S32-275
- 9) CENTRAL STORES (82-246/2)
Increase Revenue
Central Stores
Increase Expenditures
Central Stores; Central Stores Highway; Central
Stores Motor Pool; Central Stores MCUD; Reserve
for Contingency
\$350,000
RECORD RESOLUTION S32-276

CLERK'S CONSENT CALENDAR

Upon motion by Mrs. Glass, seconded by Mr. McGavic, the Clerk's Consent Calendar dated July 20, 1982, was unanimously approved as follows:

BONDS:

Barbara Spinella D/W Permit #9987 \$200.00
Public Employee's Blanket Bond (Manatee County Sheriff's Dept.)

Additions:

Donald Menges)
Albert E. Imes) Posse
Marsha D. Littlefield - P.T. Clerk
Duane N. Henderson)
Craig A. Himes)
Richard M. Hough)
Kent B. Huff) Patrol Deputy
Robert A. Gallagher - Special Deputy
Paul R. Degnan)
Dale R. Parrimon)
Gary T. Chapel)
Theresa M. Biernat) Corrections Off.
Mary E. Stewart)
Betty P. Watson) Commo. Specialist
Randy R. Knight - Special Deputy BPD
Fabian L. Swilley - Ops. Support
Deborah G. Carlock)
Emmueel Hird) Civil Clerk
Gary Lynn Glover - Civil Deputy
Cynthia Smith - Booking Clerk
Lawrence Address, Jr.)
Thomas Doughty)
James M. Hoffman)
Albert Thurman)
Steven L. White)
John Worsley) P.T. Crime Prev.
Jackie Morgan - P.T. Personnel
Dawn Spenyovics - P.T. Serv. Div.

Deletions:

Sara E. Gibson - Rel. Sch. x-Guard
Antonio L. Penaloza)
Wayne R. West) Corrections Off.
Gary L. Glover - Posse
Robin Lukkarila - Cook/Detention
Marilyn R. Thomason - Ops. Support

BILLS FOR PAYMENT:

Attorney's Fees:

General Fund:

| | | |
|--|--------------|-------------|
| Balance before payments: | \$177,138.56 | |
| Balance after payments: | \$137,755.90 | |
| Goldstein & Tanen - May 1982 | | \$ 1,934.19 |
| Hogg, Allen, Ryce, Norton & Blue - 5/25/82 | | 103.23 |
| Peoples, Earl, Moore & Blank - Ocean Dumping (Feb., March) | | 6,407.59 |
| Ross, Hardies - Palacios v. HUD, SCDF v. Driggers (5/82) | | 30,937.65 |
| Wendel Kent & Assc. - Project #5019; Payment #4; Final (with Change Order #1; decrease contract by \$5766.73) | | 13,471.23 |
| Manatee Memorial Hosp. - Capital Equipment Items | | 809,539.96 |
| Ernst & Whinney - May 1982 | | 1,433.00 |
| Manatee Memorial Hospital: OB Clinic | | 1,154.80 |
| OB Clinic | | 3,464.40 |
| Indigent Hospitalization | | 14,510.48 |
| Refund: Spike's Plumbing (P&D) | | 28.00 |
| Refund: Pools by Lagasse, Inc. (P&D) | | 32.90 |
| Refund: Paul Sandllin (P&D) | | 37.80 |
| Refund: Terry L. Grayson (OB Clinic) | | 40.00 |

WARRANT LIST:

Approve: June 29 to July 6, 1982
Authorize: July 6 to July 27, 1982

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AUTHORIZE CHAIRMAN TO SIGN:

Partial Release of Special Improvement Assessment Lien:

Chester B. & Nancy S. Kelly - Project #583-64

Clifton & Eunice Tiffany - Projects #526-12; 526-13

Tony & Margaret Piccirilli - Project #929 Act. 10

Special Interest Classes Instructor's Agreements (Parks & Recreation)

(1) Marie Pierson; (2) Joyce Ferrell

RECORD AGREEMENTSACCEPT INTO RECORD:

Loral Corporation: Annual Report & Notice of Annual Meeting

S32-277 S32-278

CITY OF BRADENTON: UTILITIES SYSTEM REVENUE BOND VALIDATION

Mary Greenwood, County Attorney, advised that a hearing is scheduled for Friday, July 23, 1982, regarding a utilities system revenue bond validation for the City of Bradenton. She asked if the Board wished to have bond counsel represent the County at that hearing.

Mr. Chance moved the Board authorize Mudge, Rose, Guthrie and Alexander to represent the County's interest at the City of Bradenton bond validation hearing on Friday. Motion was seconded by Mr. Fletcher and carried unanimously.

LAND ACQUISITION (HORST)

Mr. Chance moved to authorize execution of an agreement with John I., Jr., and Elsie D. Horst for acquisition of right-of-way Parcel 1.1, 33rd Street East and State Road 70, for the sum of \$28,154.00. Motion was seconded by Mrs. Glass and carried unanimously.

RECORD AGREEMENT

S32-279

MEETING ADJOURNED

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

Attest:


Clerk

APPROVED:


Chairman 12/7/82

Adj: 3:58 p.m.