

AUGUST 10, 1982

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, August 10, 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
Robert F. Fernandez, 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; Mark Todd, Sarasota Herald-Tribune, and others who entered during the meeting.

Invocation by Reverend B. D. Padgett, Ward Temple Ame' Church.

The meeting was called to order by Chairman Vickers.

LEGISLATION: FEDERAL TRANSPORTATION/FEDERAL HIGHWAY ACTS

Mr. Fletcher, in reporting on activities of Tampa Bay Regional Planning Council Select Committee on Transportation, advised that unless action is taken to continue two Acts that provide Federal funding for road paving and repair, they will expire on September 30, 1982.

He moved that a letter be prepared for the Chairman's signature to each member of the Florida Congressional Delegation urging support and continuation of the Federal Transportation Act and the Federal Highway Act. Motion was seconded by Mrs. Glass and carried unanimously.

CRIMINAL JUSTICE ADVISORY COMMITTEE

LeRoy Jacoby, Chairman of the Criminal Justice Advisory Committee (CJAC), gave a status report on current activities of the CJAC. He advised that a constitutional amendment for abolition of the bail bond system will be on the November ballot and, if approved, risk would become the primary determining factor as to whether an individual is held in jail or released on recognizance.

NEW COLLEGE ECONOMIC REPORT

At the request of the Board, Dr. Dana Stevens, with New College, was present concerning inaccuracies in a report prepared by the College and to identify sources of his information. The report ranked 67 Florida counties on the basis of different economic factors and Manatee County was incorrectly ranked as 47th. He stated that a corrected report will be issued in January.

He addressed three areas of major concern:

1. The data itself. The report was based on published data contained in the "Florida County Comparisons for 1980-81" and, in lieu of the current Census figures, the population forecast of the University of Florida. (The report will be corrected reflecting current Census figures.)
2. Commercial banking deposits. The report was based on State data as reported in the 1981 statistics. (The correct figure for Manatee County should have been \$680 million instead of \$303 million.)

3. Environmental expenditures. Many of the expenditures on physical environment (i.e., water and sewer system, electricity, etc.) counted negatively instead of being considered as a positive stimulus to the business climate; consequently, that category is very misleading and one in which Manatee County scored very poorly. (The revised report will eliminate that category and reflect the willingness of a County Commission to control and manage growth using some measure of commercial impact fees.)

Craig Starner, Economic Development Analyst for Manatee County, who had reviewed the report with the Chamber of Commerce, stated that discrepancies included areas dealing with population, bank deposits, educational quality, etc. He expressed dissatisfaction that the report was printed for public purview in "Florida Trend" magazine. Subject was discussed at length.

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

Motion was made by Mr. Chance that the County Administrator be authorized to write a letter, for the Chairman's signature, to "Florida Trend" magazine, quoting Dr. Stevens and pointing out that he did not consult with Mr. Starner prior to compiling information about Manatee County. Motion was seconded by Mr. Fletcher and carried unanimously.

UTILITIES: 201 WASTEWATER FACILITY PLAN

Mrs. Glass moved that the Chairman be authorized to sign applications for increases in Federal Grants for 201 Wastewater Facilities Plans:

- 1) South County \$1,061,670 (Federal \$796,253; Applicant \$265,417)
- 2) North County \$ 51,602 (Federal \$ 38,702; Applicant \$ 12,900)

Motion was seconded by Mr. Chance and carried unanimously.

BURGLARY ALARM SYSTEMS (PROPOSED ORDINANCE)

Motion was made by Mr. Fletcher, and seconded by Mrs. Glass, to authorize the County Administrator to schedule a public hearing to consider a proposed ordinance regulating the use of privately owned burglary alarm systems. Motion carried unanimously.

PUBLIC SAFETY COMPLEX (4TH FLOOR REDESIGN)

By memorandum dated August 10, 1982 (submitted by David Rothfuss) the County Administrator recommended the Board approve the design plans and specifications for the 4th floor alterations to the Public Safety Complex, and authorize the preparation and execution of a letter of intent to execute the correlative Change Order during the 1982-83 fiscal year.

George Bail, Frizell Architects, showed drawings of the design plans which would accomodate the relocation of the Manatee County Data Center and provide a configuration for the 911 Center and the Communications Center at an estimated cost of \$245,285.00.

During discussion it was suggested that the future computer system be analyzed prior to making alterations and the needs of the constitutional officers be explored.

At the suggestion of William Redding, Hobbs Construction, that partition walls be constructed until such time as final plans are agreed upon, the Chairman stated the Board would tour the facility to determine future needs.

ILLEGAL DUMPING (L. GAINS)

Leslie Gains, 2121 26th Avenue East, complained that garbage is being dumped on his property and requested assistance in resolving the problem.

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Detective Burton Thomas reported that a witness is available to testify in the matter and Sheriff Burton has offered the assistance of the road gang in providing cleanup. It was suggested that the Sheriff's Department follow legal procedure in apprehending the violator and obtaining monetary reimbursement for the manhours spent removing the debris.

LAND EXCHANGE: SHEPARD (US 301/SR 70)

David Rothfuss reported that a proposal has been made regarding the exchange of real property between Manatee County and Carl Shepard, involving approximately 72 acres of county-owned property on SR 70 and approximately 16 acres owned by Mr. Shepard on U.S. Highway 301. A significant disparity in value exists, i.e., the SR 70 parcel appraises at approximately \$300,000 and the Shepard parcel at approximately \$2.3 million. He stated that Mr. Shepard would consider a value for value exchange of county owned property for a portion of his property of equal appraised value. The balance could be acquired by the County in two separate transactions, i.e., one-half of the balance of the property could be acquired through outright purchase and one-half through a lease purchase agreement.

He requested authorization to conduct planning necessary to determine costs of constructing currently dispersed county offices and facilities upon the property and to prepare a debt financing arrangement to complete the acquisition and construct the appropriate offices and facilities, as outlined in memorandum from Robert Fernandez dated August 10, 1982.

William Kipp, representing Mr. Shepard, was available to answer any questions.

Mr. McGavic moved to approve the recommendations of the County Administrator outlined in memorandum dated August 10, 1982. Motion was seconded by Mrs. Glass and carried unanimously.

RECESS/RECONVENE

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

The Board reconvened at 1:45 p.m. with all members present.

COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mrs. Glass, seconded by Mr. McGavic, the County Administrator's Consent Agenda was unanimously approved. Items approved included:

FLORIDA POWER & LIGHT PROJECT

Adoption of

Resolution Rescinding and Terminating Any Further Obligation of the County to Issue Pollution Control Revenue Bonds in an Amount Not to Exceed \$50,000,000 for the Florida Power & Light Company Project (Cooling reservoir at Generating Plant).

RECORD RESOLUTION

S32-312

HUMAN SERVICES

1. Chore Agreement Addendum, Manatee County Council on Aging, Inc., \$2,500 increase.

RECORD AGREEMENT

S32-313

2. CETA Annual Plan Modifications to increase #202 Administrative Cost Pool; #203 IIB, #202 VII PSIP; #202 IV YETP; #202 IV SYEP.

LIBRARY

New Island Branch Library, Change Order No. 1, D. L. Porter Construction, increase contract by \$407.00.

MATERIALS & SERVICES

1. Uninterruptible Power System, Bid 82-89-285-00 RR - Award to Graybar Electric Co., \$12,141.75.
2. Island Branch Library Furniture and Furnishing, Bid 82-136-425-00 - Award to Newton Seating Co., \$65,604.61.

- 3. Data Management Consultants - Reject all proposals for RFQ 812-37-250-15. Readvertise same at later date.
- 4. Property Appraisal and Title Insurance:
Enter into contracts with J. M. Doss & Associates, Alcott & Associates, United Abstract & Title, and First American Title Company, on "as needed" basis.
- 5. Utilities: Lift Station and Sewer Repair:
Enter into contract with Woodruff & Sons, Inc., for modification of lift station to gravity line and repair of sewer, \$12,504; authorization to waive bid procedure.

DEEDS & EASEMENTS ACCEPTED:

- 1. 33rd Street East/State Road 70 - Warranty Deed from John I. Jr & Elsie D. Horst.
- 2. Island Properties/Tidy Island Project - Adoption of Resolution Accepting Dedication of Drainage Easement from Manatee Fruit Company.

RECORD RESOLUTION

TRANSPORTATION/TRANSIT - UMTA GRANT APPLICATION

S32-314

- a. Adoption of 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.
(UMTA Capital Grant FL05-0052)

RECORD RESOLUTION

- b. Amend budget to purchase two additional small buses. S32-315
- c. Execution of Form 424 on UMTA Capital Grant FL05-0052.
- d. Adoption of Resolution Approving Joint Participation Agreement WPI #1815513, with Florida Department of Transportation, Re: UMTA Grant FL05-0052.

RECORD RESOLUTION/AGREEMENT

CORRESPONDENCE - Acknowledged from:

S32-316 S32-317

- 1. Tangelo Park Homeowners Association - expressing appreciation for aid in removal of illegally parked vehicles.
- 2. Clytha Cromartie & Dolores Sauer - opposing proposed legislation regarding Day Care Centers.
- 3. Department of Environmental Regulation -
 - a) Manatee River Modeling funding placed on contingency list;
 - b) Funds denied for Manatee River expanded monitoring.
- 4. Edwin T. Mulock & I. E. Whisnant - seeking contributions to Sunny Land Council, Boy Scouts of America
- 5. Carol Hunt, Child Day Care Director, Manatee Opportunity Council - requesting \$12,000 for use as matching funds
- 6. Sheriff Burton -
 - a) requesting budget amendment for \$216,814 provided by Sarasota-Manatee Airport Authority for law enforcement by his department (see Minutes 6/20/82); advising no further budget amendment requests this fiscal year for interest earned and that minimum \$30,000 will be returned to County.
 - b) transmitting payment of \$16,569.05 to County on earned interest, etc., as per previous letter.
- 7. William Sadowski, Florida House of Representatives - regarding Sunset Review of Day Care legislation reenactment and requesting recommendations as to need.
- 8. Manatee Memorial Hospital - Minutes of meetings of Board of Trustees, June 23; Long Range Planning Committee, July 2 & 7; Finance Committee, July 14; and Financial Statement for June.

(End Consent Agenda)

BUDGET AMENDMENTS

Upon motion by Mr. McGavic, seconded by Mrs. Glass, resolutions were unanimously adopted amending the 1981-82 budget to provide for the receipt and appropriation of unanticipated revenues and item to item transfers:

- 1. UTILITIES (82-250)
From: Water Distribution
To: Maintenance

\$10,000

RECORD RESOLUTION

S32-318

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2.	<u>UMTA</u>	(82-251)		
	<u>Increase Revenue</u>			
	1981 UMTA Capital Grant FL-05-0052; 1982 State			
	DOT Capital Grant			
	<u>Increase Expenditure</u>			
	UMTA Capital Fund Grant FL-05-0052		\$866,992	
			<u>RECORD RESOLUTION</u>	S32-319
3.	<u>TRANSPORTATION/LANDFILL</u>	(82-252)		
	<u>Increase Revenue</u>			
	Landfill Revenues			
	<u>Increase Expenditures</u>			
	Landfill		\$20,107	
			<u>RECORD RESOLUTION</u>	S32-320
4.	From: Landfill Transfers/Reserves, (82-253)			
	Landfill/Various			
	To: Landfill		\$220,097	
			<u>RECORD RESOLUTION</u>	S32-321
5.	<u>PARKS & RECREATION (DNR GRANT)</u>	(82-254/1)		
	<u>Increase Revenue</u>			
	Manatee One-Mile Reef #12-81-18-2			
	<u>Increase Expenditure</u>			
	Transfer to PBR Capital Improvements Fund		\$20,000	
			<u>RECORD RESOLUTION</u>	S32-322
6.	<u>Increase Revenue</u>	(82-254/2)		
	Transfer from DNR Grant Fund			
	<u>Increase Expenditure</u>			
	Manatee One-Mile Reef #12-81-18-2			
	Professional Services		\$20,000	
			<u>RECORD RESOLUTION</u>	S32-323
7.	<u>Increase Revenue</u>	(82-255/1)		
	Manatee Three-Mile Reef #12-81-18-1			
	<u>Increase Expenditure</u>			
	Transfer to PBR Capital Improvements Fund		\$20,000	
			<u>RECORD RESOLUTION</u>	S32-324
8.	<u>Increase Revenue</u>	(82-255/2)		
	Transfer from DNR Grant Fund			
	<u>Increase Expenditure</u>			
	Manatee Three-Mile Reef #12-81-18-1			
	Professional Services		\$20,000	
			<u>RECORD RESOLUTION</u>	S32-325

TAXABLE VALUE/MAXIMUM MILLAGE

- Mr. Fernandez submitted 1982 Certifications of Taxable Values
- 1) Outside Municipalities (Rolled-Back Rate .7123 per \$1,000)
 - 2) County Wide (Rolled-Back Rate 6.2009 per \$1,000),
 - 3) Certification of Maximum Millage (6.6884).

He announced the first public budget hearing is scheduled for September 13, 1982 at 7:00 p.m.

Mrs. Glass moved to authorize the Chairman to sign the documents for transmittal to the Property Appraiser. Motion was seconded by Mr. McGavic and carried unanimously.

PROPERTY APPRAISER: PROPOSED BUDGET AMENDMENT

Motion was made by Mr. McGavic, and seconded by Mr. Fletcher, to authorize the Chairman to sign a letter to the Department of Revenue requesting approval of an amendment to the proposed budget of the Property Appraiser to provide for an increase of \$709,783. Motion carried unanimously.

HEALTH INSURANCE/HOUSING AUTHORITY

Richard Johnston, Risk Manager, requested approval to include six Housing Authority employees in the Manatee County Group Health Insurance Plan and advised that the Authority would reimburse the County for all applicable premiums.

Mr. Fletcher moved to approve the request to include the Manatee County Housing Authority employees in Manatee County's Group Health Insurance Plan. Motion was seconded by Mrs. Glass and carried unanimously.

CETA GRANTS: STIPULATION OF SETTLEMENT AND DISMISSAL

Kathy Snell, Director, Human Services Department, recommended the Chairman be authorized to sign a Stipulation of Settlement and Dismissal, Case No. 82-CTA-256, for Comprehensive Employment and Training Act (CETA) Grants committing the Board to payment of \$22,776.70 in disallowed costs to the Department of Labor.

Richard Ashley, Chief Deputy Clerk, questioned whether a County check would be accepted by the Department of Labor rather than a certified or cashier's check as indicated in paragraph 3 of the Stipulation.

Mr. Fletcher moved to authorize the Chairman to sign the Stipulation for Settlement and Dismissal in Case No. 82-CTA-256 and request that the matter of certified or cashier's check in paragraph 3 be clarified to determine whether a County check could be issued. Motion was seconded by Mr. McGavic and carried unanimously.

AUDIT CONSORTIUM AGREEMENT/HUMAN SERVICES

Ms. Snell recommended retroactive approval of audits completed under the Audit Consortium Agreement and payment of \$9,730 to Whitcomb & Christopher, Certified Public Accountants, for audits covering the following programs:

Community Care for the Elderly Phase I
 Community Care for the Elderly Phase II
 Samoset Senior Center Construction (Title III)
 Homemaker Phase I (Title III)
 Legal Aid (Community Services Trust Fund/Title XX)

Mr. Fletcher moved for approval of the recommendation of the Director of Human Services for payment of the audit consortium agreement bill. Motion was seconded by Mrs. Glass and carried unanimously.

ORDINANCE 82-16: CABLE TV FRANCHISE MORATORIUM

Mrs. Glass moved to adopt

ORDINANCE NO. 82-16

AN EMERGENCY ORDINANCE OF MANATEE COUNTY, FLORIDA, IMPOSING A SIX (6) MONTHS MORATORIUM ON THE ACCEPTING, RECEIVING, FILING, PROCESSING OR ADMINISTRATION OF APPLICATIONS FOR, OR THE GRANTING OF, FRANCHISES TO CONSTRUCT, OPERATE AND MAINTAIN CABLE TELEVISION SYSTEMS IN THE COUNTY OF MANATEE, FLORIDA, PENDING COMPLETION OF STUDY OF PROPOSED REVISIONS TO THE CABLE TELEVISION ORDINANCE; PROVIDING AN EFFECTIVE DATE.

Motion was seconded by Mr. Fletcher and carried unanimously.

RECORD ORDINANCE

S32-326

FIRE DISTRICT CONNECTION FEES

Based on the recommendation of Mary Greenwood, County Attorney, Mr Fletcher moved to authorize filing suit against the following for delinquent payment of fire hydrant connection charges:

Whitfield Fire District	\$ 9,529.60
Cedar Hammock Fire District	14,512.20
Oneco-Tallevast Fire District	1,244.70
Westside Fire District	4,557.51

Motion was seconded by Mr. McGavic and carried unanimously.

WHITFIELD AVENUE

Recommendation by Mrs. Glass that Whitfield Avenue be restored to its initial condition following installation/repair of utility lines was referred to the County Administrator.

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CLERK'S CONSENT CALENDAR

Richard Ashley, Chief Deputy Clerk, recommended approval of the Clerk's Consent Calendar dated August 10, 1982, after deletion of Bills for Payment to Peeples, Earl, (Estech, \$6,586.75) and Lané, Trohn, (Bradenton Bond Validation \$1,590.64)

Upon motion by Mr. Chance, seconded by Mr. Fletcher, the Clerk's Consent Calendar, as amended, was unanimously approved, as follows:

BONDS:Approve/Highway Department:

Nick Bolletieri Tennis Academy - Permit #FSP-82-93	\$2,595.00
Arden Lerfald - Permit #9696	360.00
Draw-Haney Const., Inc. - Permit #81-S-23	3,457.50

Release/Gun Permit

Alfred Arwe - Release of Liability Surety Bond	
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BILLS FOR PAYMENT:

Ernst & Whinney - June 1982	727.00
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Alexander, Grant & Co.:

Software Eval.; Procedure Manual (thru 6/30/82)	503.70
Prep. of RFP for Util. Billing Software	5,705.92

Sun Contracting - Renov. of Health Dept. (Payment #1)	9,805.00
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D. L. Porter Const. - Island Library (Payment #4)	56,870.10
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Hobbs Const. - Public Safety Complex (Payment #12)	651,769.20
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Attorney's Fees:General Fund

Balance before payments:	\$101,439.36
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Balance after payments:	\$70,036.57
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Ross, Hardies, O'Keefe, Babcock & Parsons (6/82):

Palacios	3,911.32
SCDF	16,294.19

Lane, Trohn (Stm. dated 8/1/82):

Frank Anderson v. County	175.92
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Co. v. Alvin Westberry	200.69
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Fred Sutton v. County	860.63
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Co. v. Dr. Royce Hall	184.25
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Heidi Boothe v. County	319.24
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Anthony Yates v. County	365.86
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Luke LaChance v. Newbern Groves	84.33
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Patrick Morrison, Jr. v. County	125.86
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Co. v. Chad Roberts	168.43
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Tax Lease Buy Back of Bus Depreciation	35.25
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Mann & Fay - Serv. not otherwise incl. (5/3/82-7/9/82)	319.32
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Hogg, Allen, Ryce - 5/27/82-6/25/82	180.11
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WARRANT LIST:

Approve:	August 3 to August 10, 1982
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Authorize:	August 10 to August 17, 1982
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AUTHORIZE CHAIRMAN TO SIGN:

Partial Release of Special Improvement Assessment Lien:

Ronald & May Young - Project 528

Joel & Arlene Sainer - Project 446

Owen & Blanche Downs - Project 5016

MINUTES FOR APPROVAL:

February 9, 10, 11, 16, 18, 1982

MEETING ADJOURNED

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

Attest:

APPROVED:


Clerk


Chairman 12/7/82

Adj: 2:40 p.m.