

AUGUST 17, 1982

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, August 17, 1982 at 9:10 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; Jud Magrin, Sarasota Herald-Tribune, and others who entered during the meeting.

Invocation by Rev. Bud Gillett, First Baptist Church of Palmetto.

The meeting was called to order by Chairman Vickers.

HIGHLAND SHORES SUBDIVISION/TRAFFIC PROBLEM

Mr. Chance reported he had received numerous complaints from residents of Highland Shores about vehicles using the roads within that subdivision to gain access to a new subdivision being developed on adjacent property. The developers, at the time of approval, had assured the Board that an entrance road from U.S. 301 would be constructed and no traffic would be generated through Highland Shores.

He moved that the Board authorize the Highway Department to take the necessary steps to stop traffic entering Highland Shores to get to the adjoining development. Motion was seconded by Mr. Fletcher and carried unanimously.

TOURIST DEVELOPMENT COUNCIL/CHAMBER OF COMMERCE

The County Administrator was authorized to draft extensions to the Tourist Development Council contracts with the Chamber of Commerce (for months of October, November and December 1982), and the Advertising Agent Contract, to be submitted to the Board for consideration on August 24, 1982.

CITY OF BRADENTON - MEETING RE WARD LAKE PERMIT EXTENSION

The Chairman announced a special Board meeting would be held at 9:00 a.m. on Thursday, August 19, 1982 with Bradenton City Council concerning the Ward Lake Extension of Permit SE-1235.

COUNTY ROADS MAINTENANCE/11TH ST. E

After Mr. Vickers referred to a request for grading and shell on 11th St. E., a non-County maintained road, and suggested the Board develop a policy on the maintenance of such roads, it was determined that this matter should be discussed in a work session.

PUBLIC SAFETY COMPLEX: CHANGE ORDERS

Following report by the Chairman of changes in construction in the Public Safety Complex not submitted to the Board for approval, the County Administrator was authorized to request the Clerk of the Works and the Architect appear before the Board at 1:30 p.m. for an explanation.

CORTEZ DENSITY - ORDINANCE 82-12

Public hearing (continued from August 12, 1982) was opened for the purpose of considering proposed Cortez Density Limitation Ordinance 82-12.

Keith Roberts, Assistant County Attorney, pointed out that some changes had been made since the August 12th hearing, dealing primarily with petitions and conceptual/preliminary site plans filed with the Planning Department after July 21, 1982. He noted that in addition to establishing certain restrictions on development, this ordinance allows the Board to impose further restrictions, including perhaps complete moratorium, by the adoption of a resolution with due public notice.

Eddie Mulock, Attorney representing Brooks Cobbum, stated his client's concern as to the effect of this ordinance on a preliminary plat approval and building permit applications filed with the County on July 22, 1982.

Mr. Roberts stated that the deadline is the date on which the Board of County Commissioners adopts the ordinance, and not the date the Planning Commission approved it (July 21); that Section 3 of the proposed ordinance entitles this client to apply for the approvals without compromising County's right to review it.

Larry Frazier, Director, Planning and Development, stated he foresees no problems in accepting the applications.

Rick Jennette, property owner, disagreed with Counsel on the terminology of the ordinance, and stated that it is a moratorium which will have a direct negative effect on all small business people. He recommended the Board deny passage of Ordinance 82-12.

The Chairman declared the public hearing closed.

Upon motion by Mr. Fletcher, seconded by Mrs. Glass, Ordinance 82-12 was unanimously adopted:

AN ORDINANCE AFFECTING THE USE AND DEVELOPMENT OF LAND IN THE CORTEZ PENINSULA AREA OF MANATEE COUNTY, WEST OF PALMA SOLA BOULEVARD, AS SUCH AREA IS THEREIN DESCRIBED; PROHIBITING FOR 190 DAYS CERTAIN KINDS OF REZONING OF LAND IN THAT AREA; ESTABLISHING PROHIBITIONS AND RESTRICTIONS, IN ADDITION TO THOSE CONTAINED IN THE MANATEE PLAN AND IN THE MANATEE COUNTY COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, UPON THE GRANTING OF CERTAIN KINDS OF APPROVALS AND AUTHORIZATIONS FOR THE USE OR DEVELOPMENT OF LAND IN THAT AREA, FOR A PERIOD OF 180 DAYS; LIMITING THE DENSITY OF SOME NEW RESIDENTIAL DEVELOPMENT TO 4.5 DWELLING UNITS PER ACRE, DURING THAT PERIOD; AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS TO IMPOSE, BY RESOLUTION, A MORATORIUM OR OTHER ADDITIONAL PROHIBITIONS OR RESTRICTIONS UPON THE USE AND DEVELOPMENT OF LAND IN THE CORTEZ PENINSULA; REQUIRING NOTICE OF AND A PUBLIC HEARING UPON ANY SUCH RESOLUTION CONSIDERED BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR THE FORM OF SUCH NOTICE; PROHIBITING THE ACCEPTANCE OR CONSIDERATION BY MANATEE COUNTY OF REQUESTS FOR REZONINGS OR OTHER APPROVALS PROHIBITED HEREBY OR BY A RESOLUTION ADOPTED HEREUNDER; PROVIDING THAT THE RESTRICTIONS HEREBY ESTABLISHED UPON THE GRANTING OF REZONINGS OR OTHER APPROVALS SHALL APPLY TO REQUESTS THEREFORE SUBMITTED AFTER THE DATE OF APPROVAL BY THE MANATEE COUNTY PLANNING COMMISSION; GRANTING TO THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT THE AUTHORITY TO MAKE CERTAIN DETERMINATIONS INCIDENTAL TO THE OPERATION OF THIS ORDINANCE, AND PROVIDING THAT SUCH DETERMINATIONS SHALL CONSTITUTE FINAL ADMINISTRATIVE ACTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES AND REMEDIES FOR VIOLATION; PROVIDING AN EFFECTIVE DATE.

RECORD ORDINANCE

AQUATIC PLANT CONTROL PROGRAM

S32-331

Bob Fernandez submitted the Department of Natural Resources State Aquatic Plant Control Funding Program Budget for Fiscal Year 1982-83 and a Resolution designating George D. Parks as Project Administrator and Angie Brewer as Project Financial Officer for the County.

Dottie Poindexter, Highway Department, was present to answer any questions in connection with the project.

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Action was deferred to August 19, 1982, pending review of the format of the resolution by the Clerk of the Circuit Court.

MANASOTA DEAF ASSOCIATION

Mr. Fernandez submitted a letter from Manatee Deaf Association, dated August 3, 1982, requesting waiver of \$115 rental fee for the use of the Kendrick and Harlee Auditoriums for the Association's annual award presentation on August 28, 1982.

Mr. Fletcher moved to waive the rental fee and authorize the County Administrator to prepare a letter notifying the Association that the facilities must be left in the same condition as found. Motion was seconded by Mrs. Glass and carried unanimously.

COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mr. McGavic, seconded by Mr. Chance, the County Administrator's Consent Agenda dated August 17, 1982 was unanimously approved with the deletion of an item under

Human Services: appointments to Mental Health Board and Manatee Opportunity Council Board of Directors (to be handled in separate action).

Items APPROVED on the Consent Agenda included:

- 1) Susan M. Anderson - Additional 201.05 hours accrued vacation time to vacation leave balance.
- 2) Adoption of
RESOLUTION AUTHORIZING THE EXECUTION OF
CERTAIN APPLICATIONS FOR LICENSES, PERMITS
OR OTHER APPROVALS BY THE DIRECTOR OF UTILITIES
(i.e. Florida Department of Natural Resources, Department of Environmental Regulation, Federal Environmental Protection Agency, etc)

RECORD RESOLUTIONSAMOSET SENIOR CENTER/G.T. BRAY PARK

S32-332

Execution of grant application documents for the addition of handicapped-accessible restrooms to the Senior Center at G. T. Bray Park in Samoset (Federal, \$15,000; local, \$1,667)

MATERIALS AND SERVICESHighway:

- a. Excavator, Bid 82-142-760-30 - Award to Tampa Tractor Company, \$128,607.56 (after seven years, \$59,950.00).
- b. Track-type tractor, Bid 82-138-760-90 - Award to Tampa Tractor, \$99,600.51 (after seven years, \$66,860.00).
- c. Motor Graders (2), Bid 82-125-760-36 - Award to Tampa Tractor, \$155,856.18 (after seven years, \$65,000.00).

Utilities:

- a. Fork Lift, Bid 82-88-070-42 - Award to Gulf Coast Lift Truck Company, Inc., \$12,660.00
- b. U. H. F. Base Station/Communications Division, Bid 82-141-725-00 - Award to General Electric Company, \$19,900.

TRANSIT

- a. Execution of Software Warranty and Service Contract with MTD Project Services on Transit Computer, \$2,580 a year.

RECORD CONTRACTUTILITIES - FLORIDA GAS TRANSMISSION COMPANY

S32-333

Lake Manatee Emergency Spillway/Manning Property

- a) Execution of Agreement with Florida Gas Transmission Company whereby the County agrees to reimburse the Gas Company the costs incurred in lowering an existing high pressure gas transmission line crossing the Manning property.

RECORD CONTRACTWater/Sewer Rates

S32-334

- b) Adoption of

RESOLUTION ESTABLISHING CRITERIA FOR APPLICATION OF ROLL BACK RATES WITH REGARD TO CONNECTION TO THE MANATEE COUNTY WATER AND SEWER SYSTEMS.

(Re: applications made between 11/10/81 and 12/31/81).

RECORD RESOLUTION

S32-335

201 Wastewater Facilities Grant

- c) Execution of Equal Employment Opportunity Assurance Forms for certification of compliance with requirements of 201 Wastewater Facilities Grant Application.

CORRESPONDENCE - Acknowledged from:

Edna White opposing proposed Day Care legislation.

(End Consent Agenda)

BUDGET AMENDMENTS

Upon motion by Mr. Fletcher, 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:

<u>TOURIST DEVELOPMENT</u>	(82-256)		
1) From: Outdoor Advertising			
To: Broadcasting Advertising;			
Convention/Prof. services		\$30,000.00	
		<u>RECORD RESOLUTION</u>	S32-336 -
<u>DATA PROCESSING</u>	(82-257)		
2) <u>Increase Revenue:</u>			
General Fund Revenues			
<u>Increase Expenditures:</u>			
Data Processing		\$15,000.00	
		<u>RECORD RESOLUTION</u>	S32-337 -
<u>PARKS AND RECREATION</u>	(82-258)		
3) From: Samoset Community Club			
To: Myakka Community Center		\$3,000.00	
		<u>RECORD RESOLUTION</u>	S32-338
<u>COUNCIL ON AGING</u>	(82-259)		
4) From: Manatee County Council on Aging			
To: Tallevast Community Center;			
Manatee County Girls Club		\$3,591.00	
		<u>RECORD RESOLUTION</u>	S32-339
<u>DATA PROCESSING</u>	(82-260)		
5) From: Rents and Leases; Lease Purchase			
To: Rents and leases; Reserve Contingency		\$4,512.00	
		<u>RECORD RESOLUTION</u>	S32-340 -

PARKS AND RECREATIONGolf Course/Rates

Mike Pascuzzi, Parks and Recreation Director, requested adoption of a resolution revising the fee schedule (increase) for the County Golf Course in order to meet rising maintenance costs and future capital improvements, including construction of an additional golf course.

Rick Ashley, Chief Deputy Clerk, advised that the golf course, an enterprise account, has a current fund balance of \$186,000.

Mr Chance reported that Lonnie Pullen, via telephone, favored the fee increase for construction of a new golf course. Others supporting increase in fees for construction of a new golf course were: C. W. Slacker, Howard Graham, Warren Johnson, Ernest Brown, Russell Hagar and Mr Powers.

Others commenting were:

Phil Lanman - rates high

Ike Wood - complained of long waiting period for singles

Jim Sherman's recommendation that the Board entertain the idea of developing Perico Island as a recreation area was referred to Mr. Pascuzzi for discussion and evaluation.

Upon motion by Mr. Chance, seconded by Mr. McGavic, the Board unanimously adopted a

RESOLUTION REVISING FEE SCHEDULE
FOR THE MANATEE COUNTY GOLF COURSE
(effective October 1, 1982)

RECORD RESOLUTION S32-341

Mr. Chance moved to authorize the County Administrator to work with the Parks and Recreation Department to develop the necessary financing and arrangements for a new golf course. Motion was seconded by Mrs. Glass and carried unanimously.

(Depart Mr Vickers; Mr Chance presiding)

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Team User Fees

Mr. Pascuzzi referred to his proposal of July 27, 1982, to eliminate, beginning in October, all night lighting on tennis courts and racquetball courts and to charge a \$50.00 user fee for teams who continue to play at night. Because of decrease in budget allocations it has become necessary to cut back on many services to the public and these fees will help defray lighting costs.

(Enter Mr Vickers)

Mr. Fletcher moved to approve the recommendations regarding team user fees as contained in memorandum from the Parks and Recreation Director (dated July 27, 1982). Motion was seconded by Mrs. Glass and carried unanimously.

HILLSBOROUGH MANATEE MENTAL HEALTH BOARD - MEMBERS

Kathy Snell, Director, Human Services Department, submitted a list of candidates interested in membership on the Hillsborough Manatee Mental Health Board to fill vacancies created by expiration of terms of Muriel Wilkinson and Patsy Holt on June 30, 1982.

Nominations for four-year terms each, were:

Audrey Thompson and Muriel Wilkinson - by Mrs. Glass.

There being no further nominations, Audrey Thompson and Muriel Wilkinson were appointed by affirmative votes of Mrs. Glass, Mr. Chance, Mr. Fletcher and Mr. McGavic. Mr. Vickers voted "Nay".

MANATEE OPPORTUNITY COUNCIL - MEMBERSHIP

Based on the recommendation of Kathy Snell (memorandum 8/17/82), Mr. Fletcher moved to appoint Mary Ellen Webster and Sandra Jessee to the Manatee Opportunity Council (to succeed Faith Handville and Dick Wyke). Motion was seconded by Mr. Chance and carried unanimously.

MANATEE MEMORIAL HOSPITAL - BOARD OF TRUSTEES

Kathy Snell submitted a list of persons who have indicated an interest in filling a vacancy on the Manatee Memorial Hospital Board of Trustees (term of four years), effective August 4, 1982.

Nominated were:

Frank A. Buskirk - by Mr. Chance
Eva I. McClure - by Mrs. Glass
Eleanor D. Perkins - by Mr. Vickers.

Frank A. Buskirk was appointed for a four-year term by affirmative votes from Mr. Fletcher, Mr. Chance and Mrs. Glass. Mr. McGavic and Mr. Vickers voted "Nay".

SURPLUS REAL PROPERTY

The Planning Director submitted his memorandum (dated July 14, 1982) on review of Manatee County Real Property slated for sale and offering staff recommendations and comments.

After a brief discussion on the Waterbury Grapefruit tract, the staff was requested to make an inventory of all County lands and submit to the Board with recommendations as to disposition.

Mr. Ashley pointed out that the Inventory Control/Asset Management Department in the Clerk's office has a complete list of all property owned by the County, by parcel number, which is available for such study.

WATERBURY TRACT 61 - LEASE/MCCRAY

The County Attorney submitted a letter from E. A. McCray, Jr., Manager of the Old Myakka Road Farm, dated July 1, 1982, requesting a one-year extension or renewal of his lease on the ten acres of Manatee County land (identified as Tract 61, Waterbury Tracts, aka Waterbury Grapefruit Tracts) he has leased for the past five years for farming purposes. She pointed out that the McCray lease has expired and, if the Board decides to continue to lease the property, it should be so advertised.

Motion was made by Mr. Fletcher, and seconded by Mr. McGavic, to advertise public notice for lease of the County land. Motion carried unanimously.

Ms. Greenwood will notify Mr. McCray that the Board has chosen to advertise.

RECESS/RECONVENE

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

The Board reconvened at 1:57 p.m. with all members present.

ELMS II COMMITTEE

Mrs. Glass reported it had been brought to her attention that Governor Graham has selected thirteen people to serve on the ELMS II Committee (Environmental League and Management Study), which is revising the DRI process, and no one from the Tampa Bay region is on that Committee. She requested that Mr. Fernandez have Mr. Knuckles explore this information, perhaps by contacting Jerry Moore, the Governor's aide. She suggested the Board consider drafting a resolution requesting representation from the Tampa Bay region on that committee.

PUBLIC SAFETY COMPLEX

Bill Redding, Hobbs Construction representative, Edgar Wood, Clerk of Works, and Ben DePalma, Architect representing W. I. Frizzell Architects, were present to discuss unauthorized changes in the construction plans of the Public Safety Complex.

After discussion, the County Administrator suggested the Chairman be authorized to draft a letter to the Sheriff notifying him that any requests for changes must be submitted through the Board of County Commissioners.

Motion was made by Mr. McGavic, and seconded by Mrs. Glass, to authorize the Chairman to send a letter to the Sheriff outlining instructions with respect to change orders for the Public Safety Complex. Motion carried unanimously.

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

PROCLAMATION: WAYNE MIXSON DAY

Mrs. Glass moved to adopt a resolution proclaiming August 17, 1982 "Wayne Mixson Day." Motion was seconded by Mr. Chance and carried unanimously.

RECORD PROCLAMATION

Lt. Governor Mixson made a brief appearance before the Board of County Commissioners. S32-342

HUMAN RESOURCES MANAGEMENT SYSTEM

Mr. Fernandez requested authorization for staff to negotiate a contract with Moore Data Systems, Inc. for implementation of the personnel management portion of the Human Resources Management System (a combined payroll-personnel management system). He advised that County Data Processing, and the Directors of Personnel and Materials and Services concur with the concept.

Mr Ashley pointed out that there will be two separate contracts, one with the Clerk (Payroll) and one with the Board (Personnel); that the Clerk, as well as other Constitutional Officers, will proportionately contribute \$60,000 of the total \$75,000 cost of the Personnel portion.

Mr. McGavic moved that staff be authorized to negotiate a contract with Moore Data Systems, Inc. for the implementation of the Personnel portion of the Human Resources Management System. Mr Fletcher seconded the motion. Following discussion, second to the motion was withdrawn. The item was deferred to August 31, 1982.

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CLERK'S CONSENT CALENDAR

Upon motion by Mr. McGavic, seconded by Mrs. Glass, the Clerk's Consent Calendar dated August 17, 1982, was unanimously approved as follows:

BILLS FOR PAYMENT:

Manatee Memorial Hosp. - Equipment	\$64,007.07
Reddy Mechanical - AC Syst. (Golf Course)	6,450.00
Bradenton Herald - Adv. re Unclaimed Bond Monies (Sheriff)	40.04
Manatee Memorial Hosp. - OB Clinic	6,004.96
Manatee Memorial Hosp. - Indigent Hosp.	5,923.92
Manatee Memorial Hosp. - OB Clinic	4,763.61
Manatee Memorial Hosp. - OB Clinic	3,179.78
Manatee Memorial Hosp. - OB Clinic	2,263.44
Refund: Eckerd Drugs #143 (MCUD)	5,760.00
Refund: Facility Investment Fees:	
Wilbur James Gilbert	700.00
William Cowan	700.00
Samuel Justice	700.00
Phillippe Dunn	700.00
Sandra Florentino	700.00
Ejner Hansen	700.00

WARRANT LIST:

Approve: August 10 to August 17, 1982

Authorize: August 17 to August 24, 1982

AUTHORIZE CHAIRMAN TO SIGN:

Partial Release of Special Improvement Assessment Lien:

Flora DeSear - Proj. 358

MINUTES FOR APPROVAL:

February 23, 25, 26, March 2, 9, 11, 15, 16, 18, 1982.

ACCEPT INTO RECORD:

First Municipal Leasing Corporations:

Lease-Purchase Agreements/Closing Documents:

(1) Hospital Capital Equipment, \$2,600,000

(2) Highway Financing and Bridge Repair Equipment, \$1,486,790.

RECORD AGREEMENTS

Wellcraft Marine Corporation:

S32-343

- (1) Industrial Development Revenue Bond, \$500,000 1982-A Series Closing Documents (Bound Volume), including
- First Supplemental Installment Sale Agreement
 - First Supplemental Trust Indenture
 - Bond Purchase Agreement

FILE

- (2) Industrial Development Revenue Bond, \$3,000,000/1982 Series Closing Documents (Bound Volume), including
- Installment Sale Agreement
 - Mortgage and Trust Indenture
 - Bond Purchase Agreement


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MEETING ADJOURNED

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

Attest:

APPROVED:


 Clerk


 Chairman 1/13/88

Adj: 4:50 p.m.