

AUGUST 24, 1982

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, August 24, 1982 at 9:05 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 Jay Green, The Bradenton Herald; Jud Magrin, Sarasota Herald-Tribune, and others who entered during the meeting.

Invocation by Reverend Richard Kirby, Open Bible Tabernacle.

The meeting was called to order by Chairman Vickers.

ISLAND BEACHES: HEALTH PROBLEM (DEAD FISH)

Mr. Fletcher reviewed the report (memorandum, 8/23/82) by Dr. John Ambrusko, Executive Medical Director, on investigation of health hazards due to dead and decaying fish on county beaches, concluding that large sections of the beaches were found to be in violation of Florida Statute 386.041 "Nuisances Injurious to Health". He recommended a vigorous effort be made to clean up the fish and authorization be obtained by the Manatee County Pollution Control Department to bury them on the beach.

Mr. Fletcher moved "that the Board of County Commissioners declare a state of emergency with regard to the beaches from the County line northward to the end of Anna Maria; that conditions have been found to be in violation of Florida Statute 386.041, Nuisances Injurious to Health, and direct the Administrator to proceed with the maximum amount of manpower he can derive to clean up this mess on both public and private properties to protect the health of citizens and to do so immediately." Motion was seconded by Mrs. Glass and carried unanimously.

O.E. Randle, Director, Pollution Control, advised that due to the volume of dead fish, burying them would be the most expedient and best means of controlling sanitation.

Mr. Fletcher moved that the accumulated putrescent fish be buried between the high water mark and vegetation line on the beaches in accordance with directions received from the Pollution Control Department. Motion was seconded by Mr. McGavic and carried unanimously.

LAND DEVELOPMENT CODE: SETBACK REQUIREMENTS

Larry Frazier, Director, Planning and Development, stated he would review any problems relating to setback requirements on site plans approved prior to adoption of the Land Development Code.

TOURIST DEVELOPMENT PLAN

Mr. Fletcher moved to approve and authorize the Chairman to sign

AMENDMENT TO CHAMBER OF COMMERCE CONTRACT FOR
ADMINISTRATION OF TOURIST DEVELOPMENT PLAN AND PROGRAM

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Cont'd

extending the contract through December 31, 1982, authorizing the Chamber to extend subcontractual agreements with vendors or consultants; also payment of compensation to the Chamber for contractual services shall be extended on a pro rata basis through December 31, 1982, in the amount of \$11,937.50.

Motion was seconded by Mr. Chance and carried unanimously.

RECORD AMENDMENT

S32-345

ORDINANCE NO. 82-14: NO PARKING/BRADEN AVENUE

Public hearing was held to consider

ORDINANCE NO. 82-14: AN ORDINANCE OF MANATEE COUNTY, FLORIDA, MAKING CERTAIN FINDINGS OF FACT, PROHIBITING THE STOPPING, STANDING OR PARKING OF MOTOR VEHICLES ON CERTAIN COUNTY MAINTAINED STREETS (BRADEN AVENUE BETWEEN U.S. 41 AND LONGBAY BLVD.) IN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE. (Notice published in The Bradenton Herald, July 26, 1982.)

Mrs. Glass moved to adopt Ordinance No. 82-14. Motion was seconded by Mr. Fletcher and carried unanimously.

RECORD ORDINANCE

S32-346

ORDINANCE 82-15: HISTORICAL COMMISSION ROLE REVISION

Public hearing was held to consider

ORDINANCE NO. 82-15: AN ORDINANCE OF MANATEE COUNTY, FLORIDA, CLARIFYING AND REVISING THE ROLE OF THE MANATEE COUNTY HISTORICAL COMMISSION; PROVIDING FOR THE APPOINTMENT OF ITS MEMBERS; PRESCRIBING ITS FUNCTIONS AND DUTIES, AUTHORIZING IT TO RECEIVE GRANTS AND GIFTS; AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS TO EXPEND PUBLIC FUNDS; AND AUTHORIZING THE CLERK OF CIRCUIT COURT TO ADMINISTER THE BUDGET OF THE HISTORICAL COMMISSION; PROVIDING AN EFFECTIVE DATE. (Notice published in The Bradenton Herald, July 26, 1982.)

Upon motion by Mrs. Glass, seconded by Mr. Fletcher, Ordinance No. 82-15 was unanimously adopted.

RECORD ORDINANCE

S32-347

ESTECH OPERATING PERMIT

Richard Eckenrod, Phosphate Mining Coordinator, requested authorization to retain an engineering consultant(s) to assist staff in reviewing the Estech Operating Permit application to insure the completeness of its contents as required by the Mining Ordinance.

Mr. Chance moved to authorize contracting with engineering consultant to assist the County in completeness review of Estech Operating Permit application. Motion was seconded by Mr. Fletcher and carried unanimously.

LITTLE MANATEE RIVER

Mr. Eckenrod submitted his memorandum Re: Proposal to Designate the Little Manatee River as an Outstanding Florida Water (8/16/82), together with a proposed resolution supporting the recommendation of the Florida Department of Environmental Regulation (DER) to designate part of the Little Manatee River as an Outstanding Florida Water from its mouth to the western crossing of State Road 674.

It was pointed out that the resolution does not address the South Fork which lies predominately in Manatee County and endorsement of the recommendations could have a negative effect on future development of the South Fork.

Motion was made by Mr. Fletcher, and seconded by Mrs. Glass, to adopt the resolution. Voting "Aye" were Mr. Fletcher and Mrs. Glass. Voting "Nay" were Mr. McGavic, Mr. Chance and Mr. Vickers. Motion to adopt the resolution failed to carry.

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

FLEET MANAGEMENT SERVICE

Mainstem, Inc - Contract

Upon recommendation by the County Administrator, Utilities and Transportation Departments, Mr. Chance moved for approval to negotiate and enter into contract with Mainstem, Inc., based on the Board's directive to obtain fleet management service. Motion was seconded by Mrs. Glass and carried unanimously.

Mr. Fletcher moved to direct the County Administrator to reduce the number of take-home vehicles by 65 percent. Motion was seconded by Mrs. Glass. After discussing the untenability of specifying the number of vehicles to be reduced, Mrs. Glass withdrew her second.

Mr. Fletcher moved that the Board direct the County Administrator to reduce the number of take-home vehicles, of whatever type, by 65 percent or more if it proves feasible, and to advise the Board of the reasons that reduction cannot be accomplished. Motion was seconded by Mr. Chance. Voting "Aye" were Commissioners Fletcher and Chance. Voting "No" were Commissioners McGavic, Glass and Vickers. Motion was defeated.

PERSONNEL MANNING LEVEL

Upon motion by Mr. Fletcher, seconded by Mrs. Glass, a resolution was unanimously adopted amending authorized manning levels as follows:

DEPARTMENT OF TRANSPORTATION

Add: 1 Secretary III, 2 Traffic Control Tech's I, 1 Building Maintenance Tech., 2 HEO II's, 1 Clerk-Technical, 1 Executive Secretary, 2 HEO/Mechanics, 1 Highway Foreman I, 1 Traffic Signal Tech. II, 1 Chief Planning Eng. (Prop.), 1 Transportation Planning Admin.

Delete: 3 Clerk Typist II's, 1 Laborer II's, 2 Engineer Technician I's, 1 Office Manager, 1 Technician III's (DOT), 1 Engineer Tech. II's, 2 HEO III/Mechanic's, 1 HEO I's, 1 Engineer III, 1 Chief Planning Engineer, 1 MVI Line Supervisor, 1 MVI Technician II's, 1 Division Chief - MVI.

(Decrease department manning level from - 328 to 325)

RECORD RESOLUTION *Personnel*

PERICO ISLAND, LTD.

Mr. Fletcher moved to approve and execute an agreement with Perico Island, Ltd. (ref PDR-81-1) allowing the developer to use concrete in constructing a portion of a road which will service that development and conform to the balance of roads (private) to be constructed within the development; providing for maintenance of the road. Motion was seconded by Mrs. Glass and carried unanimously.

RECORD AGREEMENT

S32-348

COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mr. Fletcher, seconded by Mr. McGavic, the County Administrator's Consent Agenda dated August 24, 1982, was unanimously approved. Items approved included:

POLISH SOLIDARITY DAY

Adoption of Resolution proclaiming September 18, 1982 as "Polish Solidarity Day".

RECORD RESOLUTION

S32-349

BORDEN - POLLUTION CONTROL REVENUE BONDS EXCHANGE

Adoption of
RESOLUTION AUTHORIZING THE EXCHANGE OF REGISTERED BONDS FOR EQUAL AGGREGATE PRINCIPAL AMOUNT OF BEARER BONDS IN CONNECTION WITH MANATEE COUNTY POLLUTION CONTROL REVENUE BONDS ISSUED JULY 1, 1975, FOR THE BORDEN PROJECT IN THE AGGREGATE PRINCIPAL AMOUNT OF \$4,200,000.

(obligations of Borden, Inc assumed by Amax Phosphate, Inc July 3, 1980).

RECORD RESOLUTION

S32-350

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DEEDS/EASEMENTS - Accepted:

1. Lake Manatee Emergency Spillway - Warranty Deed from Thomas Thomas, Jr and Clayton G. Ball (Parcel No. 109); and Satisfactions of Mortgage.
2. 26th Street W. - Warranty Deed and Drainage Easement from the Church of the Cross and partial Releases of Mortgage.

PERSONNEL

Additional 200 hours of sick leave credits for Jerry Duval, Department of Transportation, in accordance with Section 1, i, (2)(e) of the Personnel Policy.

FLORIDA POWER & LIGHT CO. - A-95 REVIEW

Chairman to sign letter to Tampa Bay Regional Planning Council commenting on A-95 Review #165-82, Ten-Year Site Plan.

TRANSPORTATION

1. From Miller Trailers, Inc:
 - a. Indenture for additional right-of-way on 38th Avenue East at 15th Street East;
 - b. Reservation for right-of-way on 15th Street East at 38th Avenue East (Miller Trailers).
 2. SR 70 (53rd Avenue E. at 33rd Street E. - Traffic Signal Maintenance & Operation, Order No. 23, SR 70, Section 13160.
- (End Consent Agenda)

MANATEE-HILLSBOROUGH COUNTY HEALTH PLANNING COUNCIL

Appointment of four members - Manatee-Hillsborough County Health Planning Council deferred for one week.

DRIVEWAY PERMIT/SR 70 (FINGER)

Complaint by Ronald Finger, that the County would not allow construction of a driveway from his property onto State Road 70 because it would be within 300 feet of an existing driveway, was referred to the Planning Director.

LAND DEVELOPMENT CODE: HOME OCCUPATION SECTION

The Chairman announced that a workshop will be scheduled to discuss the Home Occupation Section of the Land Development Code.

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Fletcher, seconded by Mr. McGavic, the Clerk's Consent Calendar dated August 24, 1982 was unanimously approved as follows:

BILLS FOR PAYMENT:

Bill Halfacre, Inc. - Samoset Center (Est. #1)	\$ 26,538.00
Woodruff & Sons - 59th St. Drainage Work (Est. #1)	147,667.54
Edwin T. Mulock, P.A. - Pollution Control (July 1982)	713.40
Refund: Marshall Erdman & Assc. - MCUD	415.00
Refund: Manasota Solve, Inc. (OB Clinic)	13.10
Refund: Susan Proby (OB Clinic)	125.00

WARRANT LIST:

Approve: August 17 to August 24, 1982
 Authorize: August 24 to August 31, 1982

MINUTES FOR APPROVAL:

March 23, 25 & 30; April 6, 8, 13 & 20, 1982

ACCEPT INTO RECORD:

Loral Corporation Documents - submitted pursuant to Trust Agreement dated 6/1/81:

=Form 10-Q for quarter ended 6/30/82

=Loral Metals Technology, Inc, formerly American Beryllium Co.Inc unaudited balance sheet as of 6/30/82

=income statement for the three month period then ended.

RESCIND ACTION:

Civil Defense Mutual Aid Agreement executed 9/1/81 with surrounding Counties

ORDINANCE Z-82-33/82-20 (R-5 ZONING DISTRICT)

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

A RESOLUTION declaring Exhibit 1, entitled "Manatee County Ordinance 82-20", identical in all material or substantive respects to the Ordinance entitled "Z-82-33", considered and adopted August 16, 1982, to be regarded for all purposes as the correct text of that Ordinance.

(To correctly identify Ordinance Z-82-33 as Ordinance 82-20, amending R-4 Zoning District, a part of the Manatee County Comprehensive Zoning and Land Development Code).

Motion carried unanimously.

RECORD RESOLUTION

S32-351

RECESS/RECONVENE

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

The Board reconvened at 1:43 p.m. with all members present.

PUBLIC SAFETY COMPLEX: CHANGE ORDER NO. 5

Edgar Woods, Clerk of the Works, Bill Redding, Hobbs Construction, and Ben Dipala, Architect, were present during review of Hobbs Construction Change Order No. 5, Public Safety Complex, covering the following items:

	<u>Add</u>	<u>Deduct</u>
1. Revisions to 5th floor	\$2,794.00	
2. Add conduit to elevator shafts for monitoring	No Charge	
3. Add 3 fire dampers - Bldg. "B"	259.00	
4. Change doors from Type "S" to "B"		\$ 616.00
5. Circuits & sleeves for incoming transmitter cables to Radio Room	495.02	
6. Delete clocks in various locations		3,483.68
7. Change height of Transformer Room door to 8'0"	184.80	
8. Change drywall from 2 layers of 1/2" to 1 layer 5/8" firecode		3,000.00
9. Revise Locker Room - "B" Bldg.		178.00
10. Delete reglet - Bldg. "A"		220.00
11. Per Manatee County Health Dept., add grease trap	3,795.00	
TOTAL	<u>\$8,037.56</u>	<u>\$7,497.68</u>

(this change order would amend the contract price from \$11,899,406.00 to \$11,899,945.88)

Mr. Redding advised that item No. 2, in the amount of \$509.74, should be deleted since there is no extra charge for the conduit. Mr. Fernandez was directed to investigate why the grease trap (Item No. 11) is required by the Health Department.

Mr. McGavic moved to accept the "Deduct" column on the proposed change order. Motion was seconded by Mr. Chance and carried unanimously.

Mr. Fletcher moved for approval of added items No. 5 and No. 7, in the amount of \$495.02 and \$184.80. Motion was seconded by Mrs. Glass and carried unanimously.

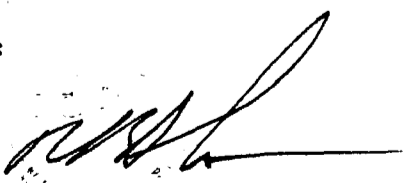
Mr. Fletcher moved for approval of the added expenditure of \$2,794 for revisions to the 5th floor, plus item No. 3 for fire dampers in the amount of \$259.00. Motion was seconded by Mr. McGavic. Voting "Aye" were Commissioners Fletcher, McGavic and Glass. Voting "No" were Commissioners Chance and Vickers. Motion carried.

MEETING ADJOURNED

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

Attest:

APPROVED:


Clerk


Chairman 1/4/82

Adj: 3:25 p.m.