

SEPTEMBER 28, 1982

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, September 28, 1982 at 9:11 a.m.

Present were Commissioners:

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

Absent was: Claude E. McGavic

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; Haven Simmons, WTRL, and others who entered during the meeting.

Invocation by Rev. David Melchoir, Calvary Baptist Church.

The meeting was called to order by Chairman Vickers.

ELECTIONS: POLLING PRECINCTS

Jerome Davis, Supervisor of Elections, explained that there are two polling precincts with less than 25 registered voters in any one party for the election scheduled for October 5, 1982. Under such circumstances the State law authorizes the Supervisor of Elections, via recommendation from the County Commission, to close those precincts and allow the voters to vote at the nearest precinct (consolidation of precincts).

Mr. Fletcher moved that the Board not approve consolidation of precincts for the upcoming election. Motion was seconded by Mr. Chance. Voting "Aye" were Commissioners Fletcher, Chance and Glass. Voting "No" was Mr. Vickers. Motion carried.

MANATEE MEMORIAL HOSPITAL SALE/LEASE

Harry Pratt, Chairman of the Board of Trustees, and Dan Miller, member of the Board of Trustees and Chairman of the Long-Range Planning Committee, gave a status report regarding a proposed transaction to sell or lease Manatee Memorial Hospital.

Mr. Miller pointed out that consideration is being given to associating with a large non-profit corporation and interviews are underway to negotiate at a fair market value. In order to establish the fair market value, an appraisal is necessary and he requested direction in that regard. Alternatives would be to use American Appraisal Company, which is under contract with the hospital, or advertise for Requests for Proposals (RFP's).

Mr. Fletcher moved to approve the actions of the Board of Trustees to acquire an appraisal of Manatee Memorial Hospital using the firm currently under contract; and, if they review any others (appraisal firms), they should go out for RFP's. Motion was seconded by Mrs. Glass for discussion.

During discussion it was clarified that the procedure which is already set for RFP's throughout the County be used.

Motion carried unanimously.

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BRADENTON OPERATING PERMIT (WARD LAKE)

The public hearing (continued from September 21, 1982) was opened for the purpose of considering request by City of Bradenton operating permit for Ward Lake project.

There were no comments other than the fact that the Planning and Development Department is working with the City on the matter, and public hearing was continued until Tuesday, October 5, 1982.

COMMUNITY MENTAL HEALTH CENTER

Kathy Snell, Director of Human Services, requested execution of a 99-year lease on approximately 8.1 acres for use by Manatee County Community Mental Health Center, at \$1.00 per year, described as:

The Northeast Quarter of the Northeast Quarter of the Northwest Quarter of Section 6, Township 35 South, Range 18, of the Public Records of Manatee County, Florida, excepting therefrom approximately 2.5 acres occupied by the Outreach Health Clinic.

Mrs. Glass moved for execution of a 99-year lease with the Manatee Community Mental Health Center for County property adjacent to the G. T. Bray (Samoset) Multi-Purpose Center for construction of a mental health facility and authorize the Chairman to sign. Motion was seconded by Mr. Fletcher and carried unanimously.

RECORD LEASE

§52-414

The Human Services Director and County Administrator were instructed to draft a letter to the Medical Association inviting participation in a workshop to discuss the mental health program and the role of the Mental Health Board.

PERSONNEL MANNING LEVEL AMENDMENT (PARKS & RECREATION)

Action was deferred until later in the meeting on request by Michael Pascuzzi, Parks & Recreation Director, for an amendment to Personnel Manning Level to reclassify paygrade for the Golf Course Manager.

ORDINANCE 82-19: REGULATING CONDUCT IN PUBLIC PARKS

Motion was made by Mrs. Glass, and seconded by Mr. Fletcher, that the County Attorney be authorized to set a public hearing for the purpose of considering Ordinance 82-19 regulating conduct in public parks within Manatee County. Motion carried unanimously.

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

COUNTY LINE ROAD INTERLOCAL AGREEMENT

Philip A. Davis, Transportation Director, was available to answer any questions regarding the County Line Road/University Parkway Interlocal Agreement between the County of Manatee and the County of Sarasota (deferred from September 21, 1982).

Keith Roberts, Assistant County Attorney, pointed out that the agreement is essentially the same as that which the Board approved in concept at a joint meeting with the Sarasota County Commission. Amendments to the agreement, of which Sarasota County is aware, were outlined as:

- 4th Whereas - After the word "rezoning" in the fourth line, add or other land use changes.
- Paragraph #3 - In the first line substitute the word construct in place of "add two".
- Paragraph #5 - In the first line substitute intersections in place of "arterial and collector" roads; in the last line delete the word "apart" and insert from any other intersections.

Funding of the realignment of Tuttle Avenue and traffic signalization at the intersection with County Line Road was discussed.

Mr. Fletcher moved for adoption and execution of the Interlocal Agreement between the County of Manatee and the County of Sarasota regarding County Line Road, as amended. Motion was seconded by Mrs. Glass and carried unanimously.

RECORD AGREEMENT

S32-415

PERSONNEL MANNING LEVEL AMENDMENT(S)

Discussion was held regarding the methodology of handling personnel manning level amendments (job classifications, change in salaries, etc.), conducting a management analysis of the system either through a specialized firm or in-house staff, etc.

Action on Personnel Manning Level Amendment for the Department of Transportation (change grade levels for Road Supervisors) was deferred until later during the meeting.

208 WATER QUALITY PROGRAM/MANAGEMENT AGENCY DESIGNATION

Larry Frazier, Planning & Development Director, submitted a proposed

RESOLUTION OF MANATEE COUNTY, FLORIDA, ADOPTING THE AREAWIDE WATER QUALITY MANAGEMENT PLAN FOR THE TAMPA BAY REGION PREPARED BY THE TAMPA BAY REGIONAL PLANNING COUNCIL; PROVIDING FOR THE IMPLEMENTATION THEREOF WITHIN THE CONSTRAINTS OF AVAILABLE MANPOWER, FUNDS AND CONTROL OF THE PROGRAMS; PROVIDING FOR PERIODIC REVIEW OF THE COUNTY'S WILLINGNESS TO IMPLEMENT; AND, PROVIDING FOR AN EFFECTIVE DATE.

Mr. Fletcher moved to adopt the resolution establishing the Management Agency designation for Manatee County for the 208 Water Quality Program. Motion was seconded by Mrs. Glass and carried unanimously.

RECORD RESOLUTION

S32-416

ZOLLER PROPERTY LEASE AGREEMENT

The County Administrator submitted and recommended approval of a lease between Daniel C. & Hilda N. Zoller, as lessor, and Manatee County, as lessee, for certain property, together with the building and appurtenances located at 223 - 6th Avenue East, Bradenton, Florida, and further described as

LOT 5 LESS THE WEST 20 FEET, AND ALL OF LOTS 6 AND 7, BLOCK "H", HIGH SCHOOL ADDITION, as per Plat thereof recorded in Plat Book 2, Page 41, Public Records of Manatee County, Florida,

for a term of two years commencing on the first day of October 1982, and terminating on the 30th day of September, 1984, at a monthly rental of \$2,000 per month.

Motion was made by Mr. Fletcher to approve the lease agreement between the County of Manatee and Daniel C. and Hilda N. Zoller. Motion was seconded by Mrs. Glass and carried unanimously.

RECORD LEASE

S32-417

PERSONNEL MANNING LEVEL AMENDMENTS

Action on Personnel Manning Level Amendments for the Board of County Commissioners and the County Administrator was deferred until later in the meeting.

COMPLAINT (OTIS JOHNSON)

Reverend Otis Johnson, 619 30th Street East, Palmetto, complained that nothing had transpired after his request to the Board that pipe be installed in a County-owned ditch located behind his property.

Following suggestion that Reverend Johnson purchase the pipe for installation by County, and reservations expressed as to liability, etc, it was recommended the matter be referred to staff to make investigation as to previous commitments (if any, by the Board), legal problems that might be involved, etc., and submit recommendations for a future agenda.

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COUNTY FAIRGROUNDS EXPANSION

Vick Blackstone, Manatee County Fair Director, recommended expansion of the County Fairground facilities located in Palmetto.

Motion was made by Mr. Chance, and seconded by Mrs. Glass, that the Chairman be authorized to sign a letter to the City of Palmetto requesting approval to expand the Fairground facilities. Motion carried unanimously.

LANDFILL (LENA ROAD/PROPOSED)

Mrs. Glass moved to execute contract for Bid No. RFP 82-43-S00-10 for consulting services in connection with Lena Road Landfill:

MANATEE COUNTY DEPARTMENT OF TRANSPORTATION AGREEMENT FOR
ENGINEERING STUDY AND DESIGN OF SANITARY LANDFILL

with Briley, Wild & Associates, Inc., (Bid \$147,797.00) to perform all services and complete all data necessary for applications to Florida Department of Environmental Regulation for operating permits for closing out existing site and for proposed 280-acre site immediately north of the existing landfill. Motion was seconded by Mr. Chance and carried unanimously.

RECORD AGREEMENT

RECESS/RECONVENE

S32-418

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

The Board reconvened at 1:55 p.m. with all members present except Mr. McGavic.

PERSONNEL MANNING LEVEL AMENDMENTS

William Davenport, Personnel Director, explained the Personnel Manning Level Amendment for the Board of County Commissioners reclassifying the position of Secretary III, Pay Grade 14, to Commission Secretary, Pay Grade 20, the positions as previously and presently held in that office and the manner in which they are handled.

He stated that the County has an established policy whereby employees are notified of vacancies which occur that might offer promotional responsibility and pointed out that if some physical departmental changes occur, it may be necessary to recommend additional personnel changes.

Discussion followed regarding the meaning of classification and its function; conducting a management analysis of the manning levels, classification structure and pay grades; merit increases, etc.

Upon motion by Mrs. Glass, seconded by Mr. Chance, resolutions establishing authorized manning levels were unanimously adopted as follows:

BOARD OF COUNTY COMMISSIONERS

Add: 1 Commission Secretary

Delete: 1 Secretary III

(Classification and/or paygrade; no change in manning level - 5)

RECORD RESOLUTION

PARKS & RECREATION

Add: 1 Golf Course Manager

Delete: 1 Golf Course Manager

(Classification and/or paygrade; no change in manning level - 97)

RECORD RESOLUTION

TRANSPORTATION

Add: 3 Road Supervisors

Delete: 3 Road Supervisors

(Classification and/or paygrade; no change in manning level - 325)

RECORD RESOLUTION

COUNTY ADMINISTRATOR

Add: 1 Management Analyst

(Change in manning level from 14 to 15)

RECORD RESOLUTION

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COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mr. Chance, seconded by Mrs. Glass, the County Administrator's Consent Agenda, with the exception of (1) Execution of contract with Moore Data Systems, Inc., for Personnel Management System (approved as a separate item), was unanimously approved. Items approved included the following:

TRAVEL AUTHORIZATION - R. Fernandez to attend Tax Legislation meeting in Fort Myers, June 24, 1982.

HUMAN SERVICES

1. Execution of Revised Grant Application to Manahill Area Agency on Aging, Inc., for Community Care for the Elderly, \$431,569.
2. Execution of Modification Agreement with Manahill Area Agency on Aging, Inc., grant increase \$146,838. RECORD AGREEMENT S32-419
3. Award RFP #82-153-921-00 to Manatee County Council on Aging, Inc., to provide Adult Day Care Services under Community Care for the Elderly Program, \$52,490.00; Execution of Agreement. RECORD AGREEMENT S32-420
4. Execution of Addenda to Agreements:
 - a. Florida Home Health Services - Manasota (\$154,638)
 - (1) Homemaker Services - \$118,215 S32-421
 - (2) Respite Services - 36,423
 - b. Medical Personnel Pool of Tampa-St. Petersburg, Inc.
 - (1) Health Aide Services, \$43,659.00 S32-422
 - c. Manatee County Community Mental Health Center, Inc.
 - (1) Case Management Support, \$1,891.00 S32-423
 - (2) Decrease funding agreement to \$147,212.72
 - d. Manatee County Council on Aging, Inc., S32-424
 - (1) Deobligate \$3,800.36 from 10/27/81 agreement S32-425
5. Medical Examiner of 12th District - Execution of amendment to contract to extend services two months (to 11/30/82) RECORD CONTRACT S32-426

LIBRARY

1. Island Branch Library - Change Order #2, D. L. Porter Constr., increase contract by \$2,400.00.
2. Application to State Division of Library Services for State Aid to Libraries, Fiscal year 1982-1983. (Estimate \$135,000)

MATERIALS & SERVICES

Execution of Lease/Purchase Agreements, (3) Xerox Corp., for Copier Systems for Planning & Development and Transportation. S32-427
RECORD AGREEMENTS S32-428

SUNSHINE SKYWAY BRIDGE

A-95 Review, Pier Protection for Sunshine Skyway Bridge - Chairman to sign letter submitting comments to TBRPC. S32-429

POLLUTION CONTROL

Adoption of a Resolution Providing that Requirements and Procedures Relating to Permits for Sewage Treatment Collection Systems, Industrial Waste Systems, Water Distribution Systems and Individual Sewage Systems in Manatee County Shall be in Accordance With Requirements and Procedures of the Department of Environmental Regulation

until superseded by amendment of the Manatee County Air and Pollution Control Code or other subsequent resolution.

RECORD RESOLUTION

DEEDS & EASEMENTS - Accepted: S32-430

1. 43rd Street West at 9th Avenue West - Warranty Deed (Edwin Winkler, Sr. and Helen Winkler). Partial Release of Mortgage.
2. Rose Park Subdivision - Drainage Easement (Ramon and Marcia V. Garcia). Partial Release of Mortgage.
3. Braden River Fire Station off State Road 64 - Warranty Deed (Sam F. Hardee, as Trustee). Partial Release of Mortgage.

(End Consent Agenda)

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MOORE DATA SYSTEMS, INC. - PERSONNEL/PAYROLL MANAGEMENT SYSTEM

Mrs. Glass moved to approve execution of a contract with Moore Data Systems, Inc., for the Personnel Management System in the amount of \$35,000 and acknowledgement of the fact that this action coincides with the contract for the Payroll Management System with Moore Data Systems, Inc., by the Clerk of the Circuit Court. Motion was seconded by Mr. Fletcher. Voting "Aye" were Commissioners Glass, Fletcher, and Vickers. Voting "No" was Mr. Chance. Motion carried.

RECORD CONTRACT

S32-431

BUDGET AMENDMENTS RESOLUTIONS

Motion was made by Mrs. Glass, and seconded by Mr. Fletcher, to approve Budget Amendment Resolution Agenda dated September 28, 1982, with the deletion of a budget amendment in the amount of \$5,000 for Data Processing (approved as a separate item).

Items approved on the Agenda included RESCINDING Resolution adopted August 31, 1982:

PUBLIC SAFETY (82-267/2) \$ 46,286

and ADOPTION of Resolutions amending the 1981-1982 Budget to provide for the receipt and appropriation of unanticipated revenues, decrease in appropriation to reflect actual revenues, and item to item transfers as follows:

1. UTILITIES (82-278)
From: Reserves
To: North Wastewater Treatment Plant, SE
Wastewater Treatment Plant \$1,161,100
RECORD RESOLUTION S32-432
2. UTILITIES (82-279)
From: Palmetto Tank Piping, 71 St. Elevation
Piping RU, Raw Water Intake
To: Flood Land, Reserves \$1,031,253
RECORD RESOLUTION S32-433
3. UTILITIES (82-280)
From: Coquina Beach, Elevated Tank 4 WTP,
Samoset Lift Station, Bayshore Complex,
Palmetto Water Lines
To: Reserves \$285,976
RECORD RESOLUTION S32-444
4. UTILITIES (82-281)
From: 60th Avenue West & 12th St. W.,
Water & Sewer Line relocations U.S. 301
To: Water Line Relocation 53rd Ave. W.,
Reserves \$85,344
RECORD RESOLUTION S32-435
5. LIBRARY (82-283)
Increase Revenue
Library Gift (Contributed Capital)
Increase Expenditure
Library Gift (Books) \$3,686
RECORD RESOLUTION S32-436
6. MOTOR POOL (82-284/1)
From: General Fund Transfers
To: General Fund Transfers \$150,000
RECORD RESOLUTION S32-437
7. CENTRAL STORES (82-284/2)
Decrease Revenue
Central Stores
Decrease Expenditure
Reserves \$150,000
RECORD RESOLUTION S32-438
8. MOTOR POOL (82-284/3)
Increase Revenue
Motor Pool (Transfer from 001)
Increase Expenditures
Motor Pool (Purchase for Resale) \$150,000
RECORD RESOLUTION S32-439

S32-439

9.	<u>HUMAN SERVICES</u> (82-285/1) From: Reserve for Aging Grants To: Transfer to Building	\$1,667 <u>RECORD RESOLUTION</u>	
10.	<u>MANAHILL A.A.A.</u> (82-285/2) <u>Increase Revenue</u> Transfer from Miscellaneous (Grants) <u>Increase Expenditure</u> Samoset Restrooms Title III-B	\$1,667 <u>RECORD RESOLUTION</u>	S32-440
11.	<u>HUMAN SERVICES</u> (82-286/1) <u>Increase Revenue</u> Transfer from General Fund <u>Increase Expenditure</u> RHI Samoset Clinic	\$129 <u>RECORD RESOLUTION</u>	S32-441
12.	<u>HUMAN SERVICES</u> (82-286/2) From: Grant Services To: Transfer to Building	\$129 <u>RECORD RESOLUTION</u>	S32-442
13.	<u>TRANSPORTATION</u> (82-287/1) From: Structures To: Transfer to Building Capital Projects Fund	\$804 <u>RECORD RESOLUTION</u>	S32-443
14.	<u>HUMAN SERVICES</u> (82-287/2) <u>Increase Revenue</u> Transfer from H/E <u>Increase Expenditure</u> RHI Samoset Clinic	\$804 <u>RECORD RESOLUTION</u>	S32-444
15.	<u>PUBLIC SAFETY</u> (82-278-A)* (Replaces 82-267/2) From: General Fund Reserves (Reserve for Contingency) To: General Fund Transfers (Transfer to 207)	\$46,268 <u>RECORD RESOLUTION</u>	S32-445
*Designated 82-278-"A" (Utilities 82-278)			S32-446
Resolutions were adopted amending the TENTATIVE (Recommended) 1982-1983 Budget for the receipt and appropriation of unanticipated revenues as follows: (Not recorded as supplemental to Minutes)			
16.	<u>Increase Revenue</u> (83-16) Communications Repair (General Fund, Highway, Utilities, Transit, Others) <u>Increase Expenditure</u> Communications Repair (Regular Salaries, Overtime, FICA, Retirement, Health Insurance, Office Supplies, Operating Supplies, Equipment Repair, Education, Rents and Lease, Professional Service, Gas, Oil and Tires, Equipment, Road Equipment)	\$179,071	
17.	<u>Increase Revenue</u> (83-17) CETA <u>Increase Expenditure</u> Admin. Cost Pool	\$57,368	
18.	<u>Increase Revenue</u> (83-18/1) Tourist Development <u>Increase Expenditure</u> Outdoor Advertising, Print Advertising, Broadcast, Direct Mail, Travel Agent Promotion, Convention Tourism, Civic Center, Transfers	\$70,500	
19.	<u>Increase Revenue</u> (83-18/2) Transfers <u>Increase Expenditure</u> Reserves	\$70,050	

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Upon motion by Mrs. Glass, seconded by Mr. Fletcher, the following resolution was adopted amending the 1981-82 budget to provide for the receipt and appropriation of unanticipated revenues:

20. <u>DATA PROCESSING</u>	(82-282)	
<u>Increase Revenue</u>		
General Fund		
<u>Increase Expenditure</u>		
Data Processing		\$5,000
		<u>RECORD RESOLUTION</u>
		S32-447

Voting "Aye" were Commissioners Glass, Fletcher and Vickers. Voting "No" was Mr. Chance. Motion carried.

CLERK'S CONSENT CALENDARS

Richard Ashley, Chief Deputy Clerk, presented the Clerk's Consent Calendars, Numbers 1 and 2, and requested that the bill for payment to Lane, Trohn regarding FPL v. Thomas Clark Braddock (on Consent Calendar #2) be corrected from \$4,817.07 to \$2,129.41.

Upon motion by Mrs. Glass, seconded by Mr. Fletcher, the Clerks Consent Calendars Numbers 1 and 2, as corrected, were unanimously approved as follows:

Number 1:

BILLS FOR PAYMENT:

Sun Contracting - Palmetto Pk. (Payment #4)		\$25,480.00
Mann & Fay: Work. Comp. Claim (Salkill)		200.00
Work. Comp. Claim (Sirk)		4,232.37
Moore Data Systems, Inc. - Prof. Serv. (Authorization dated 2/26/82)		4,900.00
Cherry, Bekaert & Holland - Audit through 9/1/82 as follows:		
BCC	\$8,412.75	
Clerk of Circuit Court	1,914.72	
Sheriff	2,967.39	
Tax Collector	475.95	
Property Appraiser	305.88	
Utilities	2,136.06	16,212.75
Refund: Debra E. Cochrane (OB Clinic)		9.70

WARRANT LIST:

Approve: September 21 to September 28, 1982

Authorize: September 28 to October 5, 1982

AUTHORIZE CHAIRMAN TO SIGN:

P&R Instructor's Agreements:

Scott Franklin Showalter; Lois Boisvert; Tomara Kafka	S32-448
	<u>RECORD AGREEMENTS</u> S32-449
	S32-450

MINUTES FOR APPROVAL:

May 13, 17, 25 & 27, June 1, 3, 8, 10 & 15, 1982

Number 2

BONDS:

Accept: Stanley Trakul - Permit #10131	\$	565.00
Release: John Jackson - Permit #9078		625.00

BILLS FOR PAYMENT:

Attorney's Fees:

General Fund

Balance before payments:	\$21,393.39	
Balance after payments:	\$3,137.06	
Hogg, Allen, Ryce, Norton & Blue - St. dated 8/25/82		135.15
David R. Ellis - Review of Agmt. with Moore Data Systems re Payroll/Personnel System		250.00
Ross, Hardies: Palacios (8/82) \$4,712.79		
SCDF (8/82) \$8,341.32		13,054.11
Lane, Trohn: Frank Anderson v. Co. \$280.88		
Manatee Co. (Misc.) \$48.00		
Selph & Fowler v. Caraffi v. Co. \$30.00		
Texaco v. FPL \$711.83		
Luke Lachance v. Newbern Groves \$190.85		
Co. v. Dr. Royce Hall \$428.10		
Sign Ordinance Matter \$42.00		
Co. v. Alvin Westberry \$337.75		
FPL v. Thomas Clark Braddock \$60.00		2,129.41
Refund: Bacarr, Inc. (P&D) re Elect. Permit		13.65

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LIBRARY: HAZEL MINDWELL KIRKHUFF ESTATE

Motion was made by Mrs. Glass, and seconded by Mr. Fletcher, that the Chairman be authorized to execute the appropriate documents to sell, assign, and endorse for transfer the stock certificates from the estate of Hazel Mindwell Kirkhuff for the benefit of the Manatee County Library system. Motion carried unanimously.

MARKER 50 YACHT & RACQUET CLUB/QUIT CLAIM DEED

Action was deferred until the next regularly scheduled Board meeting regarding a Quit-Claim Deed from Manatee County to Brooks Cobbum and C. W. Holcomb of Marker 50 Yacht and Racquet Clubs, Inc., pursuant to an agreement dated July 29, 1980.

MEETING ADJOURNED

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

Attest:



Clerk

APPROVED:


Chairman 1/27/83

Adj: 3:30 p.m.