

OCTOBER 5, 1982

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, October 5, 1982 at 9.09 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 Greg Spears, The Bradenton Herald; Jud Magrin, Sarasota Herald-Tribune; Pat Wasson, WBRD; Haven Simmons, Channel 40, and others who entered during the meeting.

Invocation by Rev. Bill Harrier, Cortez Road Baptist Church.

The meeting was called to order by Chairman Vickers.

TOURIST DEVELOPMENT COUNCIL

Chairman Vickers stated that at the last meeting of the Tourist Development Council it was recommended that the Board fill a vacancy either by reappointment of a member or advertise for individual interested in that position.

POPE ROAD

MOTION was made by Mr. Chance, and seconded by Mrs. Glass, to authorize the Highway Department to provide maintenance of Pope Road on a one time basis, and instruct the County Administrator to contact the Department about a plan for non-county maintained roads.

DRAINAGE PROBLEM

It was brought to the attention of the Board by Mr Chance that a serious flooding situation in the eastern part of the County is affecting the tomato crops. He suggested the Highway Department be directed to apply for the necessary State permits to open the drainage ditches.

Discussion was deferred until the Transportation Director can be present.

ERIE ROAD LANDFILL

Because four cattle have died and residents in the vicinity of the Erie Road Sanitary Landfill have become ill after drinking water from wells in the area, Mr Chance requested the County implement some type of monitoring of the water flowing through Buffalo Canal and Carr Drain, (which comes directly through this landfill) as there is a possibility that the wells have been contaminated.

The Board requested a report from the Health Department which is aware of the situation.

MASTER DRAINAGE PLAN

Mrs. Glass moved to instruct the County Administrator to review the budget and find ways to fund the Master Drainage Plan and proceed with the RFP's (Request for Proposals) to do the work as soon as possible. Motion was seconded by Mr. Fletcher and carried unanimously.

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ERIE ROAD LANDFILL

O. E. Randle, Pollution Control Director, came before the Board to answer questions regarding the Erie Road Sanitary Landfill and the possibility of runoff from that landfill going into the wells in the area. He stated that the Pollution Control Department will establish a monitoring program for the landfills (one legal, one illegal) in the area.

During discussion of establishing an educational program to inform residents of Manatee County where they can dispose of chemicals, it was suggested this be done through utility and/or telephone bills and through the REA Electric Company monthly brochures.

Mr. Randle indicated that his department, together with Utilities Department, will pursue establishing an education service for County residents.

POLITICAL SIGNS

Mr. Chance requested the Highway Department be instructed to collect political signs and newspaper boxes on County rights of ways and call the owners to pick them up.

LANDFILL: DISCONTINUATION OF CUBIC YARDAGE RATE

Mr. Vickers advised that action by the Board on September 14, 1982, to discontinue the cubic yardage rate for the landfill users has resulted in a rate increase by the franchise holders to their customers.

The County Attorney pointed out that a provision in the franchise contract agreement indicates that the franchise holders can increase 2 per cent for every 10 per cent increase in tippage fees that the Board approves.

Since the Board approved shifting from cubic yard measurement to tonnage Mr. Fletcher questioned whether the franchise holders could legally pass this cost to their customers as the change resulted in an increase in cost but did not change rates.

The County Administrator recommended action be deferred until Mr. Davis is present later in the meeting.

MERITORIOUS SERVICE AWARD

A meritorious service award was presented to Russ Tuttle, for outstanding services he provided Manatee County during his internship with the County Administrator's Office with no remuneration.

Upon motion by Mr. Fletcher, seconded by Mrs. Glass, the Chairman was unanimously authorized to sign a letter of commendation to Mr. Tuttle.

PROCLAMATION: MANATEE AWARENESS WEEKEND

Upon motion by Mrs. Glass, seconded by Mr. Fletcher, a Proclamation was unanimously adopted proclaiming October 9 and 10 as "Manatee Awareness Weekend" to enlighten and inform the general public of the plight of the native Florida Manatee, a sea cow which is becoming extinct.

RECORD PROCLAMATION S32-453

Joseph and Dian Doucette were present in connection with promotion of the Crystal River Manatee Sanctuary through the Planetarium, Mote Marine Science Center and news media.

PROCLAMATION: 4-H WEEK IN MANATEE COUNTY

Upon motion by Mr. Chance, seconded by Mrs. Glass, a Proclamation was unanimously adopted setting October 3 through 9, 1982 as "4-H Week In Manatee County".

RECORD PROCLAMATION S32-454

Sharon Howell, Youth Council President, listed the functions of 4-H programs and introduced the officers of the Manatee County 4-H Council.

CITY OF BRADENTON OPERATING PERMIT (WARD LAKE)

Public hearing on request by the City of Bradenton for an earthmoving operating permit at Ward Lake, was continued to Tuesday, October 19, 1982.

BEKER OPERATING PERMIT

The County Attorney referred to resolution adopted August 3, 1982, scheduling a public hearing October 12, 1982 to consider suspension of Beker's Operating Permit and Beker's request for withdrawal of Notices of Violation issued July 2, and July 16, 1982.

The Chairman announced that due to the Property Appraisal Adjustment Board hearings being scheduled the week of October 12th, there would not be a meeting of the Board of County Commissioners that date. He requested Dick Eckenrod, Phosphate Mining Coordinator, provide a status report and the Transportation Director report on the condition of State Road 64.

The County Administrator was instructed to advise Beker and Attorney John Harlee that there will be a discussion on the matter. (Date to be determined.)

DEPARTMENT OF REVENUE

9th Cent Gasoline Tax

To clarify a question as to whether or not local gas stations received word of the effective date of the additional gasoline tax, a representative of the Department of Revenue, Mr McLoughin, reported that on September 25th letters were sent to the gasoline dealers and special fuel dealers notifying them that October 1, 1982 is the implementation date on the 9th cent gasoline tax, which, in turn, is passed on to the individual dealer/station operators.

Property Assessments

Since it was determined that Mr. McLoughin could not provide answers to questions regarding the increase in property assessments from last year, it was requested that a representative from the Department of Revenue appear before the Board to explain that process prior to hearings by the Property Appraisal Adjustment Board.

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

SPECIAL MEETING

Chairman Vickers announced a special Board meeting will be held Thursday, October 7, 1982 at 9:00 a.m to discuss Beker Operating Permit, the sanitary landfill and the Department of Revenue.

COMMUNITY MENTAL HEALTH FACILITY - WAIVER OF FEES

Kathy Snell, Director of Human Services, on behalf of the Manatee County Community Health Center, requested the Board waive all construction and development fees as levied by the Planning Department, Transportation and Health Departments, for county property adjacent to the G. T. Bray (Samoset) Multi-purpose Center, where the new mental health facility will be constructed.

Mr. Chance moved to waive the fees. Motion was seconded by Mr. Fletcher and carried unanimously.

HUMAN SERVICES

Council on Aging

Kathy Snell requested the Board approve and authorize the Chairman to execute a non-county funding agreement with Manatee Council on Aging, Inc. in the amount of \$21,772, for the period October 1, 1982 to September 30, 1983 (Consent Agenda, Human Services, item 2c)

Motion was made by Mr. Chance, and seconded by Mrs. Glass, to authorize the Chairman to execute agreement with Manatee Council on Aging, Inc. Motion carried unanimously.

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Samoset Senior Center/Restrooms

Kathy Snell requested

- 1) Award bid 82-146-921-00, in the amount of \$15,825.00, to J. B. Zoller III, General Contractor, for restroom additions to Samoset Senior Center
- 2) Execute contract with J. B. Zoller III and accept certificate of insurance.

Upon recommendation that all items on Consent Agenda under Human Services be pulled and approved while Ms. Snell was present, Mr. Chance so moved, with inclusion of the Zoller bid/contract for construction of the Samoset Senior Center restrooms. Motion was seconded by Mrs. Glass and carried unanimously.

RECORD CONTRACT S32-456

The Human Services items approved on the Consent Agenda included execution of:

- 1) Manahill Area Agency on Aging, Inc., Title III Older Americans Act Agreement, funding for the construction of restrooms for the handicapped at G. T. Bray (Samoset) Senior Center in the amount of \$15,000 plus \$1,667 in local match for a total of \$16,667.

RECORD AGREEMENT S32-457
- 2) Community Services Trust Fund Grant Agreement with State of Florida Department of Community & Veterans Affairs, to administer Chore Program (grant \$16,920), including \$8,460 in local match.

RECORD AGREEMENT S32-458
- 3) Non-County Agency Agreements (Oct 1, 1982 - Sept. 30, 1983) with
 1. Manatee County Community Mental Health Center, \$160,000 S32-459
 2. Hillsborough-Manatee Mental Health Board, \$109,212 S32-460
 3. Florida Gulf Health Systems Agency, Inc, \$10,000 S32-461
 4. H.O.P.E. of Manatee, Inc, \$17,000 S32-462
 5. Manahill Area Agency on Aging, Inc, \$9,050 S32-463
 6. Manatee Association of Retarded Citizens Services, \$18,000 S32-464
 7. Manatee Children's Services, Inc, \$11,549 S32-465
 8. Manatee Opportunity Council, \$12,000 S32-466

RECORD AGREEMENTS

TRANSPORTATION: UMTA ASSISTANCE GRANTS FY 1980-81 and 1981-82

Bob Hofmann, Transportation Department, reported that applications to the U.S. Department of Transportation, Urban Mass Transportation Administration (UMTA), had been approved for a two-year operating grant, and submitted grant agreements to be executed for

- 1) Grant FL05-4150, Operating Deficit Transit 1980-81 S32-467
with a deficit recovery of \$476,356
- 2) Grant FL05-4151, Operating Deficit Transit 1981-82 S32-468
with a deficit recovery of \$602,745

(Resolution authorizing execution of applications and grant agreements adopted June 22, 1982.)

RECORD AGREEMENTS

WEST COAST MEDICAL TRANSFER SERVICE/EMS

Jim Hamrick, Emergency Services, submitted a renewal of certificate of public convenience and necessity to West Coast Medical Transfer Service and requested Board approval.

Mr. Chance moved for execution of certificate of public convenience and necessity to West Coast Medical Transfer Service to provide with non-emergency service to the citizens of Manatee County for one year period (October 1, 1983). Motion was seconded by Mrs. Glass and carried unanimously.

MANATEE PLAN

Motion was made by Mr. Chance, seconded by Mrs. Glass and carried unanimously, to adopt a

RESOLUTION INITIATING AMENDMENT
PA-82-2 TO THE MANATEE PLAN

for expansion of Port Manatee Industrial Area, by amending figure 4-14, (p. 4-33) and figure 4-9 (p. 4-23).

RECORD RESOLUTION

S32-469

CIVIC CENTER AUTHORITY

The County Administrator advised that Civic Center Authority membership terms will expire on October 17, 1982 for Vernon L. DeSear, Sr., O. M. "Buster" Griffith, Harold D. Haley and Wheeler Leeth.

Motion was made by Mr. Fletcher, and seconded by Mr. Chance, to extend the membership of Vernon DeSear, Sr., O.M. "Buster" Griffith and Wheeler Leeth on the Civic Center Authority for a period of 90 days. Motion carried unanimously.

Nominations were made to fill the remaining membership term as follows:

Dorothy Wells - by Mrs. Glass
David Bassett - by Mr. Fletcher
James Keller - by Mr. Chance

No nominee received a majority vote, therefore, no appointment was made to replace Harold Haley.

(Depart Mr. Vickers; Mr. Chance presides)

PUBLIC SAFETY COMPLEX

Edgar Wood, Clerk of the works, Dr. John Ambrusko, Health Department Director, and John Burns, Director of Environmental Services appeared before the Board in connection with the grease trap/interceptor for the Public Safety Complex.

During discussion regarding redesign of the grease trap and who is liable for the redesign and extra cost involved, Dr. Ambrusko and John Burns recommended a 1,000 gallon grease trap.

Upon request by the County Administrator, action was deferred to October 19, 1982, pending formal recommendation and a final determination as to liability.

SMATS MPO: PROPOSED LONBOAT KEY BRIDGE

The County Administrator referred to a letter from Sarasota Manatee Area Transportation Study, Metropolitan Planning Organization (SMATS MPO) dated September 22, 1982 requesting that each MPO member government discuss and attempt to form an official position as to the desired location the proposed Longboat Key Bridge prior to MPO meeting on October 18, 1982.

Mr. Fletcher stated that the recommendation from SMATS is to approve in concept the location of the bridge from the center of the Island of Longboat Key, at the western end, and leave the eastern terminus to be determined on a cost factor basis.

Mrs. Glass moved to endorse the SMATS position. Motion was seconded by Mr. Chance and carried unanimously.

COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mrs. Glass, seconded by Mr. Chance, the County Administrator's Consent Agenda dated October 5, 1982, was unanimously approved with the deletion of those items under Human Services, which were approved in separate action, and under Materials and Services, to authorize deletion of surplus property from inventory.

Items APPROVED on the Consent Agenda included:

Lake Manatee Emergency Spillway: Execution of Agreement for sale and purchase of W. D. Sugg Parcel 105, \$56,000.

Sheriff: Budget Account Amendment No. 11, FY 81-82, transfer \$10,000 from contingency to other expenses. RECORD RESOLUTION S32-470

Library: Execution of Florida State Plan for Interlibrary Cooperation Agreement/ SOLINET, with State Division of Library Services, period October 1, 1982 to September 30, 1983, \$25,000.

RECORD CONTRACT S32-471

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MATERIALS AND SERVICES

- a. Transportation: Execution of contract with General Telephone Company, telephone system, 36 months lease/purchase, \$741.27 mo. RECORD CONTRACT S32-472
- b. Janitorial Services, Bid 81-23-S00-03 - Extend for one year, Geist Floor Service, October 1, 1982 to September 30, 1982, \$54,408.
- c. Execution of agreement with Mainstem Corporation for Equipment Maintenance Management System Services, (Bid 82-151-921-00, Fleet Management).
- d. Barge & Tug Services, Bid 82-157-921-00 - Award to Holmes Construction Co., \$120 per hr/\$2,000 per load, (except Reef A, \$2,200) predicated upon award of fishing reef grant funds to County. RECORD CONTRACT S32-473
- e. Chore Services 1982-83, Community Services Trust Fund Grant, waive bid procedure - Award to Manatee Council on Aging.
- f. Utilities: Water Supplies & Materials, Bid 82-124-890-00 - Award to Southeastern Municipal Supply, B & H Sales, Palmetto Pump Co., J & J Wholesale, Peninsular Supply, Davis Meter & Supply, Hughes Supply of Bradenton, Sunshine Foundry, Sunstate Meter, Hughes Supply of Sarasota, Empire Pipe, SOUS Inc., Banks Supply Co. and American Cast Iron.

Gulf of Mexico OCS Lease Sales/Regional Environmental Impact Statement - Chairman authorized to sign A-95 Review, #186-82 letter to Tampa Bay Regional Planning.

Shadow Brook Mobile Home Subdivision, Phase 2B - Release Ten percent Defect Security/Bond, \$13,437.65

TRANSIT

Execution of contract with Manatee Association for Retarded Citizens - Continuation of County transportation services FY 82-83 for \$1,575.50 monthly.

RECORD CONTRACT S32-474

PARTICIPATION PROJECTS: - Certificates of Completion accepted:

1. Project 5012 - (65th Ave. Drive E. from 9th St. E. to 10th St. Ct. East).
2. Project 5017 - (25th St. W. from 48th Ave. W. to 49th Ave. W)
3. Project 5019 - (60th Ave. Terrace West from 12th St. West to 2nd St. West).

DEEDS & EASEMENTS - Accepted

- a. 60th Avenue Drive E - Warranty Deeds from Oneco-Tallevast Fire Dept., Inc., and from Tallevast Fire Control District
- b. 53rd Avenue W (Bayshore High School) - Warranty Deed from School Board of Manatee County
- c. 34th Street & 57th Avenue W (Vocational & Tech. Center) - Warranty Deed from School Board of Manatee County
- d. 63rd Avenue E - Warranty Deed from Community Church of God w/Partial Release of Mortgage

End Consent AgendaRECESS/RECONVENE

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

The Board reconvened at 1:50 p.m. with all members present, except Mr. McGavic.

OCEAN DUMPING: LAWSUIT

Bill Earl, Environmental Attorney, made a status report on the Manatee County Ocean Dumping Lawsuit, scheduled for trial sometime in November.

He indicated that, as a result of the suit, the Corps of Engineers and EPA have done three surveys of the original sites A & B, including a survey of a new site 4 A. He requested authorization to meet with the Citizens Advisory Group and Mayors to determine the desirability of proposed site 4A and then come back before the Board for explicit orders for requests to the Court.

Mr. Fletcher moved to authorize Mr. Earl to meet with the Citizens Advisory Group and Mayors on the question of ocean dumping (Site 4a) and report to the Board at the earliest possible date. Motion was seconded by Mrs. Glass and carried unanimously.

SITE PLANS - DEFERRAL OF REQUIRED IMPROVEMENTS

Keith Roberts, Assistant County Attorney, submitted and defined a form of agreement for the deferral of required improvements in proposed final site plans, indicating that this is the first step in establishing a procedure and criteria for deciding when and under what circumstances deferrals requested by developers should be recommended.

Mrs. Glass moved to approve form of agreement for the deferral of required improvements. Motion was seconded by Mr. Chance and carried unanimously.

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Chance, seconded by Mr. Fletcher, the Clerk's Consent Calendar dated October 5, 1982 was unanimously approved as follows:

BONDS:

Release:

Robt. Campbell/Skyway Realty - Permit #9080 (DW) \$ 600.00

BILLS FOR PAYMENT:

Hobb Construction - PSC (Payment #14)	874,352.75
Florida Counties - Dues 11/1/82 through 10/31/83	3,857.00
Frizzell Architects - PSC Architectural Work Inv.9-1016	12,394.42
Woodruff & Sons - 59th St. W. (Payment #2)	43,816.61
Gee & Jenson - Phase II Safe Yield & Impact Assessm.	17,332.79
Richard Hudson - Reimb. Legal Fees; Spillway Condemn.	300.00
CH2M Hill - Deep Well Injection Study; Payment #5	3,942.52
Mann & Fay - Legal Serv. re Self-Insurance Activities	262.50
Refund: Meleia B. Helms - OB Clinic	100.00
Refund: Brenda Leroy Fenimore - OB Clinic	150.00

WARRANT LIST:

Approve: September 28 to October 5, 1982

Authorize: October 5 to October 12, 1982

ACCEPT INTO RECORD:

Southwest Fla. Wtr. Management District - Res. 790 re millage
West Coast Inland Nav. Dist. - Res. 82-02 re millage

AUTHORIZE CHAIRMAN TO SIGN:

Partial Release of Special Improvement Assessment Lien:

Golf King Towers, Ltd. - Proj. 929 Acct. 15

Marian M. Martin - Proj. 947 Acct. 17

P&R Instructor's Agreements:

-475	S32-486	Banner, Nora	Jackson, Jeanne	Remaley, Sally	S32-497
-476	S32-487	Collson, Eleanor	Kercher Enterprises	Russo, Steve	S32-498
-477	S32-488	Corbett, Stan	Libraty, Gabriel	Sanford, Dr. Selma	S32-499
-478	S32-489	Culhane, William "Doc"	Messick, Tom	Special Riders,	
-479	S32-490	Denny, Jill	Mitchell, Thos. A.	Inc.	S32-500
-480	S32-491	Di Marzo, Kathleen	Morton, Jean	Taxdal, Connie	S32-501
-481	S32-492	Ferrell, Joyce	Music/Music (Rick Langley)		
-482	S32-493	Gaumond, J. Stephen	Neigel, Evelyn R.	Tomassi, Margaret	S32-502
-483	S32-494	Godwin, Randy	Parrott, Jeannette	Van Delft, Arthur	S32-503
-484	S32-495	Hamby, Heidi Howard	Patterson, Shirley	Windsurfing Sun-	
-485	S32-496	Higgins, Grace	Pierson, Marie	coast, Inc.	S32-504

RECORD AGREEMENTS

S32-475 to S32-504

CENSUS (1981)

Mr. Chance referred to a report from Jerome Davis, Elections Supervisor, regarding possible error in the recent census and suggested the County Administrator review the recent population statistics specifically for the purpose of revenue sharing.

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Cont'd

PERSONNEL

The County Administrator submitted a proposed

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS
TO AUTHORIZE AND EFFECT A COST OF LIVING PAY
INCREASE FOR EMPLOYEES OF THE BOARD
in the amount of seven percent, calculated on base level of
employee's compensation, effective as of September 25, 1982 and
reflected in payroll checks issued on October 15, 1982.

Mrs. Glass moved for adoption of resolution. Motion was seconded
by Mr. Chance and carried three to one. Those voting "Aye" were
Commissioners Glass, Chance and Vickers. Commissioner Fletcher
voted "Nay."

RECORD RESOLUTION

S32-505

MEETING ADJOURNED

There being no further business, the meeting was declared
adjourned. *Copy in Personnel file*

Attest:



Clerk

APPROVED:


Chairman 1/25/82

Adj: 2:35 p.m.