

OCTOBER 7, 1982

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION in the Courthouse, Bradenton, Florida, Thursday, October 7, 1982 at 10:33 a.m.

Present were Commissioners:

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

Absent was Commissioner:

Claude E. McGavic

Also present were:

Mary Greenwood, County Attorney  
Robert F. Fernandez, County Administrator  
Donald E. Barry, Deputy Clerk, representing  
R. B. Shore, Clerk of Circuit Court

Representing the various news media were Jud Magrin, Sarasota Herald-Tribune, and others who entered during the meeting.

The meeting was called to order by Chairman Vickers.

WELCOME STATION/PARK

Maurice Goodnight, Vice-Chairman, Tourist Development Council (TDC), reported that the TDC recommendation to delete the Welcome Station from the budget was approved June 1982, by amending Ordinance 80-3 to delete this item (Ordinance 82-8). However, since the deletion did not reach the appropriate departments, the funds continued to mount and there is now a \$150,800 balance in that category.

The Florida Department of Transportation (FDOT) has a building on a sixteen acre site on U.S. 301, four-tenths mile from the interchange of I-75 and U.S. 301, which it has agreed to lease to Manatee County at no cost, predicated on the site and building being utilized as a Welcome Station.

Proposal for the Welcome Station by the Manatee Chamber of Commerce was approved by TDC on October 4, 1982. Request is now being made for Board approval by adoption of the appropriate Resolution.

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

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY AUTHORIZING THE COUNTY TO ENTER INTO AN ARRANGEMENT FOR LEASE AND/OR USE OF CERTAIN REAL PROPERTY AS A WELCOME CENTER AND PARK FACILITY

Motion carried unanimously.

RECORD RESOLUTION S32-506

PERSONNEL MANNING LEVELS AMENDED

Upon motion by Mr Chance, seconded by Mrs Glass, a resolution was unanimously adopted amending Personnel Manning Levels as follows:

Materials & Services

Delete: 1 Heavy Equipment Operator I; 2 Assistant Stores Managers;  
1 Central Stores Manager.

(Decrease department level from 87 to 83)

Transportation

Add: 1 Heavy Equipment Operator I; 1 Assistant Stores Manager  
(Increase department level from 325 to 327)

Utilities

Add: 1 Central Stores Manager; 1 Assistant Stores Manager  
(Increase department level from 237 to 239)

RECORD RESOLUTION

*Personnel*

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Cont'd

PERSONNEL: LYNN RICHARDS - SICK LEAVE CREDITS

Motion was made by Mr Chance to approve 320 additional sick leave credits for Lynn Richards (Utilities Department) in accordance with Section 1, i, (2) (e) of the Personnel Policy. Motion was seconded by Mrs Glass and carried unanimously.

LANDFILL RATES

After discussion regarding landfill rates, the County Administrator was authorized to schedule the garbage franchise holders to appear before the Board on October 19, 1982.

AD VALOREM TAXES

Felix Treadway, Department of Revenue, and Frank Perkins, County Property Appraiser, answered questions regarding Ad Valorem taxes/property valuations.

Avery Gould commented on the tax structure, etc.

(Exit Mr Fletcher)

WHITFIELD ZONING DISTRICT - ORDINANCE 82-21 (EMERGENCY)

Keith Roberts, Assistant County Attorney, reviewed and recommended adoption of

EMERGENCY ORDINANCE 82-21:

AN ORDINANCE FINDING AN EMERGENCY TO EXIST BY REASON OF A JUDICIALLY DECLARED INVALIDITY OF THE WHITFIELD ZONING DISTRICT ESTABLISHED BY CHAPTER 25996, AS AMENDED BY CHAPTER 74-529, LAWS OF FLORIDA, AND THE EFFECT THEREOF UPON ZONING AND LAND USE REGULATIONS ESTABLISHED UNDER THE AUTHORITY OF THAT DISTRICT; PROVIDING PROCEDURES FOR THE HANDLING OF REQUESTS FOR ZONING AND LAND USE APPROVALS ARISING IN THE WHITFIELD ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE AS ALLOWED BY 125.66 (3) OF THE STATUTES.

(Enter Mr Fletcher)

Mrs Glass moved to adopt Ordinance 82-21. Motion was seconded by Mr Chance and carried unanimously.

RECORD ORDINANCE

S32-50

RECESS/RECONVENE

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

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

BEKER PHOSPHATE - SETTLEMENT AGREEMENT

Richard Eckenrod, Phosphate Mining Coordinator, reported on the status of compliance by Beker Phosphate with the terms of the settlement agreement of February 26, 1982, and pointed out several problems in regard to haul routes, trucking during school busing hours, time intervals between trucks, load weight limits, identification of trucks, etc.

Perry Durea, representing Beker, stated that Beker feels there is total compliance but steps will be taken to correct any problems brought out by Mr Eckenrod.

Avery Gould, as Vice-Chairman of ManaSota-88, read a letter concerning apparent violations by Beker regarding rail facility, repair of S.R. 64, water quality standards, discharge of slime, and construction of a polishing pond.

John Harllee, Attorney, informed the Board that trucks hauling for Beker will be identified by removable name plates.

Following further discussion, Mr Chance moved to authorize staff to contact Bill Earl (Special Counsel), discuss the conversation in today's meeting and submit a recommendation. Motion was seconded by Mr Fletcher. Voting "Aye" were Commissioners Chance, Fletcher and Glass. Voting "Nay" was Commissioner Vickers. Motion carried.

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

Mrs Glass pointed out that the agreement, page six, second-to-the-last paragraph, states "the parties expressly agree that material violations of any part of this agreement shall cause the immediate cesation of all trucking hereunder and render any right to truck suspended pending correction of such violajton."

Mrs Glass moved to authorize the Chairman to sign a letter to Beker pointing out the clause in the agreement and citing the second-to-the-last paragraph. Motion was seconded by Mr Vickers and carried unanimously.

WHITFIELD ZONING DISTRICT - ZONING AMENDMENT

Keith Roberts pointed out Emergency Ordinance 82-21, adopted earlier in the meeting, transfers to the Planning Department the function of reviewing and processing requests for building permits, rezones, etc.; that this is temporary and leaves open the matter of whose zoning regulations continue in force in the Whitfield Zoning District.

He recommended adoption of a resolution to initiate consideration of an Ordinance that would add to the existing land use regulations and authorize the setting of a public hearing to consider an interim amendment to the Land Development Code that would allow the County to implement regulations of Whitfield Zoning District.

Upon motion by Mrs Glass, seconded by Mr Chance, a Resolution initiating a zoning amendment in the Whitfield Zoning District was unanimously adopted.

RECORD RESOLUTION S32-508

DATA PROCESSING

Motion was made by Mr Fletcher, and seconded by Mr Chance, to approve the recommendation of Bob Fernandez that the Data Processing function be moved directly under the office of the County Administrator. Motion carried unanimously.

REVENUE SHARING - HALF-CENT SALES TAX DISTRIBUTION

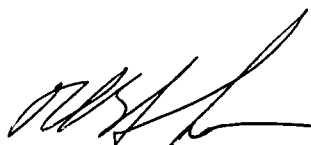
Mr Fernandez reviewed a letter from John W. Seay, Director, Division of Ad Valorem Tax, dated October 4, 1982, re: Loss of Revenue Sharing and Half-Cent Sales Tax Distribution, and stated that he feels it is a form letter sent to Counties whose taxable value changed after certification by the Property Appraiser (Manatee County taxable values not yet certified).

MEETING ADJOURNED

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

Attest:

APPROVED:

  
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Clerk

  
\_\_\_\_\_  
Chairman / 25 / 83

Adj: 3:55 p.m.