

OCTOBER 26, 1982

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, October 26, 1982 at 9:14 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; David McGivers, WBRD, and others who entered during the meeting.

Invocation by Rev. Johnny Johnson, Palmetto Church of God.

The meeting was called to order by Chairman Vickers.

SARASOTA MANATEE AREA TRANSPORTATION STUDY (SMATS - MPO)

Longboat Key Bridge

Mr. Fletcher reported that the Manatee Area Transportation Study, Metropolitan Planning Organization (SMATS) Board of Directors had approved and adopted the position taken by Manatee and Sarasota Counties as to the location of an additional bridge from Longboat Key to the mainland.

McGavic, Claude

Mr. Fletcher presented Mr. McGavic a resolution adopted by the Sarasota Manatee Urban Area Metropolitan Planning Organization in appreciation for his services rendered to that organization.

BEER CAN ISLAND

Mr. Fletcher submitted a letter for signature of the Chairman, addressed to the Mayor and Town Commissioners of the Town of Longboat Key, urging that public access to County-owned Beer Can Island, and to other beach areas, remain open.

Sal Chiefari, resident of Longboat Key, expressed appreciation for the letter which he will hand deliver to the Town of Longboat Key mayor. He commented that a petition bearing 600 signatures supported open access to Beer Can Island.

Motion was made by Mr. Fletcher, and seconded by Mrs. Glass, to authorize the Chairman to sign the letter dated October 26, 1982. Motion carried unanimously.

PORT MANATEE

Mr. McGavic, as Chairman of the Manatee County Port Authority, requested authorization to sign a letter addressed to U. S. Corps of Engineers supporting federal maintenance of the Port Manatee Channel and Harbor area, Palmetto Florida. He indicated that this letter will be ratified at the next Port meeting.

Mr. Fletcher moved the Chairman of the Port Authority be authorized to sign the letter. Motion was seconded by Mrs. Glass, and carried unanimously.

BUNKER HILL ROAD BRIDGE/T.R. PITTS BRIDGE

Mr. Chance submitted a letter from Mary Alice Lester, dated October 19, 1982, requesting dedication of a bridge on Bunker Hill Road to her father, T.R. Pitts, now deceased. Over the years he had donated land as right of way for the road and construction of the bridge, in addition to allowing other portions of his property to be used for County purposes without compensation.

Motion was made by Mr Chance to name the bridge the "T. R. Pitts Bridge" in the memory of Mrs. Lester's father. Motion was seconded by Mr. Fletcher and carried unanimously

The Transportation director indicated the request for a name/plaque on the bridge would be investigated as to legality of such expenditure.

PERSONNEL: HIRING PROCEDURES (POLLUTION CONTROL DIRECTOR)

The County Administrator was directed to prepare a letter to the Bradenton Herald responding to a certain article regarding hiring procedures of the County, specifically as it relates to the position of Pollution Control Director. It was suggested it be pointed out that applicants, to be selected and hired by the Board, must be approved by the State.

SANITARY LANDFILL - SCHROEDER MANATEE LEASE

Phil Davis, Transportation Director, came before the Board to provide significant points of the lease being negotiated with Schroeder Manatee to obtain an additional 300 acres of land in the immediate proximity of the Lena Road Landfill:

- = The landfill is assured for a minimum of 13 years.
- = Schroeder Manatee desires a royalty of a dollar per ton for the materials deposited.
- = Schroeder Manatee desires an increase in their revenues of 10 percent per year over the 13-year life of the landfill.
- = The County will close both sides of the landfill into a golf course configuration and do rough grading on it. The golf courses will be public and Manatee County Utilities will be able to provide effluent irrigation as deemed appropriate by County consultants.
- = The County is required to carry a liability insurance on the landfill for a ten year period after closure.
- = The County is required to improve the Gun Range to an aesthetically acceptable condition prior to the close of the existing landfill which will be in three more years.
- = The tonnage rate at present is \$5.00 per ton. If the tipping fees go to \$7, it will still be the lowest rate in the State.

He requested staff be authorized to enter into final negotiation with Schroeder Manatee for a landfill land lease. Mr. Chance so moved. Motion was seconded by Mrs. Glass and carried unanimously.

ZONING

Public hearing was continued on:

SP-82-88 STEVEN & STUART THORESON - EARTHMOVING APPROVED

Request: Special permit to conduct earthmoving activity, approval of earthmoving site plan and operating permit.

(deferred October 21, 1982)

Larry Frazier, Planning and Development Director, indicated that Stipulation No. 1 was changed to:

1. An additional nine (9') feet of right of way shall be dedicated along Palm View Road to provide a 33-foot right-of-way prior to commencement of earthmoving activity.

J. B. Donnelly, representing the Cone Corporation, pointed out that there has been no objection to this project from the Manatee School Board Administration or the various property owners in the community, and that his client will comply with the stipulations and dedication of the 9-foot right of way.

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Having reviewed the application, recommendations of staff and the Planning Commission, the applicable provisions of Manatee County Ordinance and finding the proposal to be a consistent use so long as certain conditions are met, Mr McGavic moved to approve SP-82-88 with the stipulations outlined by the Planning Commission. Motion was seconded by Mr. Fletcher and carried unanimously.

PROCLAMATION: SHRINE PAPER SALE DAYS

Upon motion by Mr. Chance, and seconded by Mrs. Glass, a proclamation was unanimously adopted proclaiming November 5 and 6, 1982 as "SHRINE PAPER SALE DAYS IN MANATEE COUNTY".

RECORD PROCLAMATION S32-524

Wallace Tervin, President, Shriners Manatee Chapter, stated that 98 percent of monies raised by the Shriners North America through paper sales goes directly to support its hospitals, with less than two percent being used for administrative costs.

PROCLAMATION: ALZHEIMER'S DISEASE PUBLIC AWARENESS WEEK

Upon motion by Mrs. Glass, seconded by Mr. McGavic, a Proclamation was unanimously adopted, designating the week of NOVEMBER 21-27, 1982 as "ALZHEIMER'S DISEASE PUBLIC AWARENESS WEEK" in Manatee County.

RECORD PROCLAMATION S32-525

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, November 2, 1982.

ORDINANCE 82-19 - REGULATING CONDUCT IN PUBLIC PARKS

Public hearing was opened for the purpose of considering Ordinance 82-19 (Notice published in Bradenton Herald October 6, 1982).

Mike Pascuzzi, Parks and Recreation Director, listed reasons for requesting adoption of the Ordinance.

Upon motion by Mr. Chance, seconded by Mrs. Glass, the following Ordinance was unanimously adopted:

ORDINANCE NO. 82- 19:
AN ORDINANCE REGULATING CONDUCT IN PUBLIC PARKS
WITHIN MANATEE COUNTY, PROVIDING FOR ENFORCEMENT,
PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS
PROVISIONS; AND PROVIDING AN EFFECTIVE DATE

with the insertion of the word "services" on Page 12, Section VII, Subparagraph 1.

RECORD ORDINANCE S32-526

CHILD DAY CARE - SUNSET LEGISLATION

Kathy Snell, Human Services, requested authorization for the Chairman to sign a letter addressed to the Committee on Regulatory Reform supporting the reenactment of the current State Law governing child day care (Section 402.301-402.316 Florida Statutes).

Mr. Fletcher moved the Chairman be authorized to sign the letter, and copies be sent to the appropriate persons in the House and the Senate. Motion was seconded by Mr. Chance and carried unanimously.

MANATEE OPPORTUNITY COUNCIL - USDA SURPLUS (CHEESE)

Motion was made by Mrs. Glass to authorize use of County trucks and drivers for distribution of USDA surplus cheese by Manatee County Opportunity Council to the indigent of the County. Motion was seconded by Mr. McGavic and carried unanimously.

PERSONNEL/MANNING LEVELS AMENDED

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

PLANNING & DEVELOPMENT

Delete: One Economic Development Analyst
(Decrease Department level from 60 to 59)

RECORD RESOLUTION *personnel*

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

HUMAN SERVICESAdd Positions:

- 1 Accounting Clerk II
- 3 Benefits Coordinators
- 1 Case Manager Supervisor
- 2 Case Manager II
- 3 Case Manager I
- 1 Case Manager Assistant
- 1 Clerk-Technical

Delete Positions:

- 1 Fiscal Specialist I
- 1 Caseworker/Counselor
- 2 Social Worker
- 1 Director-Welfare Programs Division
- 2 Manpower Supervisors
- 3 Manpower Specialists
- 1 Planning Specialist
- 1 Receptionist

(Department level unchanged: 43)

RECORD RESOLUTION *personnel*

(Depart Mr. Vickers; Mr. Chance presiding)

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

PROBATION

Add: One Probation Officer Trainee; one Receptionist.

Delete: One Probation Officer I
(Increase Department level from 11 to 12)

RECORD RESOLUTION *personnel*

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

PARKS AND RECREATION

Add: One Cart Attendant

Delete: Two Assistant Cart Attendants (P-T)
(Decrease Department level from 97 to 96)

RECORD RESOLUTION *personnel*

Request to amend personnel manning level in Legal Services was deferred.

FERTILIZER/GOLF COURSE; BALL FIELDS

Motion was made by Mr. McGavic, and seconded by Mr. Fletcher, to waive bid procedure and authorize staff to procure fertilizer (Scotts ProTurf) for the golf course and ball fields from O. M. Scott & Sons, sole source vender. Motion carried unanimously.
(Enter Mr. Vickers)

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

LIBRARY: ISLAND BRANCH

Edgar Woods, Clerk of the Works, submitted reports on investigation of construction on the Island Branch Library.

Memorandum, dated October 21, 1982: After acquiring a set of plans and specifications, project site was visited with Philip Place, Library Director, H. Patterson Fletcher, Architect, and Roy Gamble, Engineer of Record, for the purpose of obtaining design criteria which governs concrete and subsoil work and observing the condition of the finished items.

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As a result of this investigation, Ardaman & Associates took core samples of the main floor slab and the parking area for testing final compressive strength to determine if it meets the 3000-pound criteria of the contract.

Memorandum dated October 25, 1982: After analysis, it was the opinion of Ardaman & Associates that the the compressive strength of the subject concrete slab exceeds the design criteria established by the architect.

Mr. Woods indicated that the Board would not be remiss in making payment to the contractor based on these findings.

Mr. Chance commented that the contractor had related to him some of the problems on concrete work by a subcontractor.

D. L. Porter Construction - Bill Paid

Mr. McGavic moved to pay the bill (partial payment application #6) in the amount of \$60,764.40 to D. L. Porter Construction, Inc. Motion was seconded by Mrs. Glass and carried four to one with Mr. Vickers voting "Nay."

The County Attorney and County Administrator were instructed to contact the contractor regarding the necessity for him to come before the Board in connection with his problems with the subcontractor.

COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mr. McGavic, seconded by Mr. Chance, the County Administrator's Consent Agenda dated October 26, 1982 was unanimously approved with the exception of:

1. Mann & Fay - Recommendation by County Attorney to deny payment for legal services, \$3,070.43. - Deferred
2. Sun Court Nursing Center, Ltd - Conceptual approval of Industrial Revenue Bond Financing Application - Deferred
3. Parks & Recreation - Execution of Agreements for Non-County Agency funds, FY 1982-83 - (Approved in separate action).

Items APPROVED on the agenda included:

LEGAL SERVICES

Extension of Retainer Agreement with David R. Ellis, as Special Counsel in Computer Law, 10/1/82 to 9/30/83, at a billing rate of \$80 per hour.

RECORD AGREEMENT

GUN PERMIT APPLICATION FORM

S32-527

Adoption of

RESOLUTION PRESCRIBING APPLICATION FORM FOR THE
ISSUANCE OF A PERMIT TO CARRY A CONCEALED PISTOL

RECORD RESOLUTION

S32-528

EMERGENCY MEDICAL SERVICES - COUNTY FAIR

Execution of agreement with Manatee River Fair Association to rent space and pay utilities fee at County Fair, 1983, \$125.50.

RECORD AGREEMENT

S32-529

HUMAN SERVICES

1. Execution of Public Donor contracts with State Department of Health & Rehabilitative Services for

- a. Manatee Opportunity Council (Child Day Care) \$12,000;
- b. Manatee Children's Services (Emergency Shelter Care for Children) \$11,549

RECORD AGREEMENTS

S32-530

2. Execution of second modification/addendum to agreements for Homemaker services with:

- a. Manatee County Community Mental Health Center, Inc
- b. Florida Home Health Services-Manasota.

RECORD AGREEMENTS

S32-532

3. Execution of Agreement with Manatee Council on Aging, Inc., for operation of Chore Program FY 1982-83, \$14,666.

S32-533

RECORD AGREEMENT

S32-534

4. Execution of Agreement with Manatee County Community Mental Health Center, Inc for operation of Chore Program, \$1,408
RECORD AGREEMENT S32-535
5. Execution of second modification/addendum to agreement with Manatee Council on Aging, Inc. for operation of Chore Program, \$10,738.
RECORD AGREEMENT S32-536

MATERIALS AND SERVICES:

General Warehouse Supplies, Bid 82-156-000-00 - Award to Bert Lowe Supply Co., Safety Equipment Co., Goodyear Rubber Products, Inc., Epperson & Co., Graham Jones, Cameron & Barkley, Bucket Mart, Inc., A. I. M. Supply, Hughes Supply, Inc. Bradenton., Scotty's, and Raybro Electric.

Transportation/Highway

- 1) Two Tractors w/mower (sidewinders), Bid 82-128-760-90 RR - Award to Franz Tractor, \$35,468
- 2) Boring Casings, Railroad and Highway, Bid 83-05-890-00 - Award to Southwestern Road Boring, Inc.
- 3) Participation Projects - Petitions accepted:
Project 5031 - 60th Avenue Drive W., Sunny Lake Estates - 75%
Project 5032 - 16th Avenue NW, Pinehurst Subdivision - 100%
- 4) Aquatic Plant Control - Amended budget FY 1982-83, for Department of Natural Resources

Utilities:

- 1) Janitorial Services - Execution of contract with National Building Maintenance Inc., \$13,368; accept Insurance Certif.
RECORD CONTRACT S32-537
- 2) Lake Manatee Dam/Stop Log Gate - Reject bids received. Rebid.

DEEDS & EASEMENTS - Accepted

- 1) Victory Road/U.S. 301 - Warranty Deed from Palmetto Federal Savings & Loan Assoc., Colony Cove Branch
- 2) Cedar Hammock Drainage - Drainage Easements (2) from Eric B. Robertson for Parcel No. 2.1 and 3.1

UTILITIES

- a. Execution of Lease Agreement with First Communities, Inc (tenant) for a five-year period (with provision for five-year renewal), on .70 acre, for construction of modular steel building by tenant for office/maintenance building for the Garden Lake Project. (building to become County property upon termination)
RECORD AGREEMENT S32-538
- b. Lake Manatee Emergency Spillway - Acceptance of Guarantee of Title, No. 93260 from Attorneys Title Insurance Fund to Manatee County on Parcel 103 (Stelzer) and Parcel 104 (Hudson/Stelzer).

BOND, RECLAMATION

Release of Bond No. B-80-83702-10 (\$4,000) Cincinatti Insurance Co., surety, for P & R Shell Pit.

CORRESPONDENCE - Acknowledged from:

- a. Manatee County Horticulture Advisory Committee - Protest elimination of funds for the Agriculture Extension Department.
- b. Mann & Fay - See "Utilities" - Lake Manatee.
- c. Norman Meissner - Request rejection of Z-82-49
- d. Sarasota County with copy of Resolution 82-274 - Requesting Department of Interior (DI) suspend OCS Oil/gas leasing sales in Eastern Gulf of Mexico; supporting State litigation against DI
- e. West Coast Inland Navigation District W/Resolution 82-02 on millage levy, FY 1982-83.
- f. Town of Longboat Key W/Ordinance 82-18 on millage levy FY 1982-83
- g. Manatee Memorial Hospital - Minutes of Group Discussion/ Board of Trustees, 7/21/82; Long Range Planning Committee, 7/21/82, 9/2/82, 9/15/82; Finance Committee, 9/3/82, 9/9/82; Financial Statement for July 1982.

Note: 1) Included in packet but not listed in letter of transmittal or Agenda memorandum Minutes of Contracts Committee 8/26/82.
2) Included in packet but not listed on Agenda memorandum, Financial Statement for August 1982.

(End Consent Agenda)

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PARKS AND RECREATION: NON COUNTY AGENCIES, FY 1982-83

Mr. McGavic moved for execution of agreements for non-county agencies. Motion was seconded by Mr. Chance and carried four to one with Mr. Fletcher voting "nay". The following Non-County Agencies will receive funds for fiscal Year 1982-83:

1. Anna Maria Community Center, \$9,660.00	S32-539
2. Girls Clubs of Manatee County, \$9,000.00	S32-540
3. Longboat Key Youth Center, \$3,000.00	S32-541
4. Boys Clubs of Manatee County, Inc, \$5,666.00	S32-542
5. Myakka Community (Youth) Center, \$3,000.00	S32-543
6. Palmetto Youth Center, \$8,855.00	S32-544
7. Rubonia Youth Center, \$3,000.00	S32-545
8. Tallevast Youth Center, \$6,000.00	S32-546
9. Thirteenth Avenue Youth Center, \$8,571.00	S32-547

RECORD AGREEMENTSBUDGET AMENDMENTS

Upon motion by Mr. McGavic, seconded by Mrs. Glass and carried unanimously, the following resolutions were:

RESCINDED (Adopted 2/16/82)

- 1) HUMAN SERVICES (82-95)
from Reserve Encumbrances To CCEE \$274,056.39
- 2) TRANSPORTATION (82-104)
from Retained Earnings To Transit \$7,782.71

and the following resolutions amending the 1981-82 budget were ADOPTED: (Note: 82-288 to 82-301 provide for projects/grants carryover from FY 1980-81)

GENERAL COUNTY

1) <u>Increase Fund Balance</u> (82-288) <u>Increase Revenue Items</u> Transfer from CD Samoset Sewers	\$332,260.00	
	<u>RECORD RESOLUTION</u>	S32-548
2) <u>Increase Fund Balance</u> (82-289) LEAA Grant Fund <u>Increase Revenue Items:</u> LEAA JF-79-18-7901 Pathways	\$7,992.00	
	<u>RECORD RESOLUTION</u>	S32-549
3) <u>Increase Fund Balance</u> (82-290) LEAA Grants Fund <u>Increase Revenue</u> LEAA SKIPP JF-81-18-7101	\$3,683.00	
	<u>RECORD RESOLUTION</u>	S32-550
4) <u>Increase Fund Balance</u> (82-291/1) Miscellaneous Grants Fund <u>Increase Revenue</u> Traffic Engineer Grant	\$8,396.00	
	<u>RECORD RESOLUTION</u>	S32-551
5) <u>Increase Fund Balance</u> (82-291/2) Transportation Trust Fund <u>Increase Revenue</u> Transfer from Miscellaneous grants fund	\$8,396.00	
	<u>RECORD RESOLUTION</u>	S32-552
6) <u>Increase Fund Balance</u> (82-292/1) Miscellaneous Grants Fund <u>Increase Revenue</u> Traffic Engineer Equipment	\$5,000.00	
	<u>RECORD RESOLUTION</u>	S32-553
7) <u>Increase Fund Balance</u> (82-292/2) Transportation Trust Fund <u>Increase Revenue</u> Transfer from Miscellaneous Grants Fund	\$5,000.00	
	<u>RECORD RESOLUTION</u>	S32-554

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8)	<u>Increase Fund Balance</u> (82-293) <u>Miscellaneous Grants Fund</u> <u>Increase Revenue Items</u> Community Care for the Elderly program phase III	\$118,592.00 <u>RECORD RESOLUTION</u>	S32-555
9)	<u>Increase Fund Balance</u> (82-294) <u>Miscellaneous Grants Fund</u> <u>Increase Revenue</u> Homemaker II Title III-B	\$22,497.00 <u>RECORD RESOLUTION</u>	S32-556
10)	<u>Increase Fund Balance</u> (82-295) <u>Miscellaneous Grants Fund</u> <u>Increase Revenue</u> G. H. S. C. Selectrive Traffic Enforcement 1981	\$1,596.00 <u>RECORD RESOLUTION</u>	S32-557
11)	<u>Increase Fund Balance</u> (82-296) <u>Miscellaneous Grant Fund</u> <u>Increase Revenue</u> Samoset Center Staffing II	\$4,286.00 <u>RECORD RESOLUTION</u>	S32-558
12)	<u>Increase Fund Balance</u> (82-297) <u>Miscellaneous Grants Fund</u> <u>Increase Revenue</u> Novice Motorcycle Education	\$2,898.00 <u>RECORD RESOLUTION</u>	S32-559
<u>DEPARTMENT OF LABOR (CETA)</u>			
13)	<u>Increase Revenue</u> (82-298) Ceta Administrative Cost Pool <u>Increase Expenditure</u> MOC II-B-81-2 Professional Services	\$979.00 <u>RECORD RESOLUTION</u>	S32-560
14)	<u>Increase Revenue</u> (82-299) Title II-B (81) <u>Increase Expenditure</u> MOC II-B-81-2, Professional Svcs	\$3,116.00 <u>RECORD RESOLUTION</u>	S32-561
15)	<u>Increase Revenue</u> (82-300) Ceta Title IV YCCIP (81) <u>Increase Expenditure</u> Title IV YCCIP Wages & prof. svcs.	\$2,812.00 <u>RECORD RESOLUTION</u>	S32-562
16)	<u>Increase Revenue</u> (82-301) CETA Title VII PSIP (81) <u>Increase Expenditure</u> MCSB VII-81-1, prof. svcs/education	\$6,272.00 <u>RECORD RESOLUTION</u>	S32-563
<u>HUMAN SERVICES/CETA</u>			
17)	<u>Increase Revenue</u> (82-302) CETA Administrative Cost Pool <u>Increase Expenditure</u> CETA Administrative Cost Pool	\$19,997.00 <u>RECORD RESOLUTION</u>	S32-564
18)	From: Title II-B Workman's Comp. (82-303) To: Title II-B in School Work Exp.	\$496.00 <u>RECORD RESOLUTION</u>	S32-565

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<u>EMERGENCY MEDICAL SERVICES</u>		(82-304)	
19)	<u>Increase Revenue</u>		
	TBRPC Hurricane Evacuation Drill Grant		
	<u>Increase Expenditure</u>		
	Operating expense		\$4,000.00
			<u>RECORD RESOLUTION</u>
			S32-566
<u>TRANSPORTATION/TRANSIT</u>			
20)	<u>Increase Revenue:</u>	(82-305)	
	Title III-B Elder Bus IV		
	<u>Increase Expenditure</u>		
	Title III-B Elder Bus IV		\$80,122.00
	Salaries, Operating, etc		<u>RECORD RESOLUTION</u>
			S32-567
<u>HUMAN SERVICES</u>			
21)	<u>Increase Revenue</u>	(82-306)	
	Community Care for Elderly (CCE) Ph. IV		
	<u>Increase Expenditure</u>		
	CCE Phase IV Prof. svcs.		\$146,881.00
			<u>RECORD RESOLUTION</u>
			S32-568
22)	From: Fund Balance	(82-307)	
	Miscellaneous Grants		
	To: Expenditure		
	CCE Phase IV prof. svcs.		\$68.00
			<u>RECORD RESOLUTION</u>
			S32-569
<u>COMMUNITY DEVELOPMENT/UTILITIES</u>			
23)	From: Fund Balance	(82-308)	
	Community Development Block Grant		
	To: Expenditure Items		
	Transfer to MCUS Construction Fund		\$387.00
			<u>RECORD RESOLUTION</u>
			S32-570
24)	<u>Increase Revenue</u>	(82-309)	
	CD Samoset Sewers		
	<u>Increase Expenditure</u>		
	Transfer to MCUS Construction		\$331,873.00
			<u>RECORD RESOLUTION</u>
			S32-571
<u>TRANSPORTATION/TRANSIT.</u>			
25)	<u>Decrease Revenue:</u>	(82-310)	
	UMTA Bus Operation Grant		
	<u>Decrease Expenditure</u>		
	Transit Equipment maint.		\$13,882.00
			<u>RECORD RESOLUTION</u>
			S32-572
26)	From: Elder Bus III	(82-311)	
	To: Transit		\$22,035.00
			<u>RECORD RESOLUTION</u>
			S32-573
27)	<u>Increase Revenue:</u>	(82-312)	
	Elder Bus III/contributions		
	<u>Increase Expenditure</u>		
	Elder Bus III/salaries; oper. etc		\$32,605.00
			<u>RECORD RESOLUTION</u>
			S32-574
28)	From: Retained Earnings	(82-313)	
	Manatee County Transit		
	To: Expenditure Items		
	Elder Bus III oper. exp.		\$845.00
			<u>RECORD RESOLUTION</u>
			S32-575
<u>HUMAN SERVICES</u>			
29)	From: Reserve for General	(82-314/1)	
	Fund/Contingency		
	To: Transfers to matching		
	grants		\$13,095.00
			<u>RECORD RESOLUTION</u>
			S32-576

30) Increase Revenue: (82-314/2)
Transfer from General Fund
Increase Fund
Matching Grants Fund

\$13,095.00

RECORD RESOLUTION

S32-577

UTILITIES - FIRST COMMUNITIES

Mr. McGavic moved to insert today's date (10/26/82) on the lease agreement with First Communities. Motion was seconded by Mrs. Glass and carried unanimously.

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Fletcher, seconded by Mrs. Glass, the Clerk's Consent Calendar dated October 26, 1982 was unanimously approved as follows:

BONDS:

Release:

Robt. & Ellen Dvoratchek - Permit #9400 \$ 360.00

BILLS FOR PAYMENT:

Attorney's Fees:

General Fund:

Balance before payments: \$499,673.28

Balance after payments: \$472,317.99

Peeples, Earl: Ocean Dumping (8/82) 13,195.39

Ross, Hardies: Palacios (9/82) \$7,057.10

SCDF (9/82) \$7,102.80 14,159.90

Camp, Dresser & McKee - Eng. Studies (Request #3) 509.59

Zoller & Najjar Engineering, Inc.: Oneco Landfill 1,250.00

Stockade (Inv 11484) 1,000.00

Stockade (Inv 11374) 575.00

Russell Tuttle - Travel (June-Sept. 82) 240.80

Refund: Sherry Pyper (OB Clinic) 50.00

Refund: Pamela K. Jackson (OB Clinic) 50.00

WARRANT LIST:

Approve: October 19 to 26, 1982

Authorize: October 26 to November 2, 1982

AUTHORIZE CHAIRMAN TO SIGN:

Partial Release of Special Improvement Assessment Lien:

Howard & Margaret Copeland - Proj.#526 Act.#4

Cecil & Betty Johnson - Proj.#532 Act. #1112

MINUTES FOR APPROVAL:

June 17, 18, 22, 24 & 29, 1982

LAND EXCHANGE: SHEPARD (US 301/SR 70)

In compliance with directions by the Board, the County Administrator read his memorandum of October 25, 1982 providing findings, which included legal and financial instruments (submitted as exhibits) necessary to effect acquisition by County certain real property owned by Carl Shepard, on which to construct a County office complex.

- = Exhibit "A"- Form of agreement prepared by Mr. Shepard for sale of the property to County
- = Exhibit "B"- Contract for sale and purchase prepared by the County Attorney
- = Exhibit "C"- Financing plan prepared by the firm of William R. Hough which requires a total of \$7,523,678.12 over a ten (10) year period to be realized through issuance of public improvement revenue bonds
- = Exhibit "D"- Budget amendment resolution to provide funds to meet deposit requirement of \$230,000
- = Exhibit "E"- Memorandum from Planning and Development, dated 10/20/82, reviewing zoning of the parcel that would permit a County office complex.

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Cont'd

He submitted an appraisal of the Shepard parcel prepared by Richard W. Roberts, MAI, dated October 25, 1982, placing the value of the 15.662 acres at \$2,361,000.00.

In his opinion some of the concerns the Board should take into consideration prior to action were:

1. The \$2.3 million purchase price which may not be warranted in view of the County's intended use of the property.
2. The transaction must be structured as a simple contract for sale and purchase. Thus, the Board cannot assume that the County will realize any of the benefits that were anticipated from a land exchange involving the S.R. 70 landfill property.
3. There are Constitutional and statutory provisions which limit the County's ability to locate County offices outside the legally designated County Seat.
4. Payment of the \$230,000 deposit from excess fees reduces the General Fund balance which has been previously described to the Board as inadequate to meet critical cash flow requirements.
5. If the Clerk of the Circuit Court declines to sign a check for the down payment, the County could be in breach of the contract and damages could be substantial.

The Clerk of Circuit Court had indicated that, unless he had assurance of the value of the property, he did not feel comfortable in signing the check for the required deposit. This was, however, prior to an appraisal being received.

Ed Mulock, representing the Clerk, stated that he had not seen an agreement or the appraisal and questioned the terms of the agreement and availability of funds to authorize issuance of a check for this sum.

In the discussion it was suggested that an independent appraisal be conducted on behalf of the County.

Action was deferred to Tuesday, November 2, 1982, pending review of the contract/documents and appraisal by the Clerk and his attorney.

MEETING ADJOURNED

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

Attest:


Clerk

APPROVED:


Chairman 2/5/82

Adj: 12:52 p.m.