

NOVEMBER 30, 1982

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, November 30, 1982 at 9:12 a.m.

Present were Commissioners:

Vernon E. Vickers, Chairman
Edward W. Chance, Vice-Chairman
Kent G. Chetlain
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 Greg Spears, The Bradenton Herald; Havin Simmons, Channel 40, and others who entered during the meeting.

NATIONAL DRUNK AND DRUGGED DRIVING AWARENESS WEEK

At the suggestion of Mr. Fletcher, the Board concurred in staff preparing a proclamation declaring the Week of December 12-18 1982, as "National Drunk and Drugged Driving Awareness Week."

AWARD: MERITORIOUS SERVICE (SANDS)

A Meritorious Service Award was presented to Lloyd Dale Sands in recognition of 10 years service with the Manatee County Department of Transportation.

BRADENTON - WARD LAKE OPERATING PERMIT

Public hearing to consider request by the City of Bradenton for permit for expansion of Ward Lake was continued to 12/7/82.

BUDGET RESOLUTION

The County Administrator presented a resolution appropriating \$2,000 to the Emergency Medical Services Auxillary to purchase a mini life-support vehicle to be used in high (pedestrian) traffic areas and at the fair grounds.

Jimmie Hamrick, Director of Emergency Services and Charlie Nickols, Vice President of the Auxillary Services, explained the voluntary program.

Upon motion by Mr. Chance, seconded by Mrs. Glass, a resolution was unanimously adopted amending the 1982-83 budget by an item to item transfer:

EMERGENCY SERVICES (83-43)

From: Emergency Medical Services

To: Emergency Medical Auxillary

\$2,000

RECORD RESOLUTION

S32-629

INDIGENT MEDICAL ASSISTANCE

Kathy Snell and Barbara Johnson (Human Services Department) submitted and reviewed recommended policies for Indigent Medical Assistance which included:

- = limiting number of hospital days in a fiscal year
- = limiting use of the Emergency Room as a clinic
- = allowing admissions to Manatee Memorial Hospital only (with exception of emergencies)
- = using Medicaid rates to pay physician bills
- = eliminating the six-month length of residency requirement and requiring intent to reside.

By memorandum of July 26, 1982, the County Attorney, pointed out that even though durational requirements are unconstitutional, the County Welfare Department may require the applicant to show intent to reside in the County.
(Depart Mr. Fletcher)

Following recommendation that the six-month residency be retained, concern was expressed on requiring an unconstitutional element in the proposed policies. It was then recommended that residency requirements be discussed further at a later date.

Mrs. Glass moved for adoption of the proposed policy on Indigent Medical Assistance. Motion was seconded by Mr. Chetlain and carried unanimously.

RECORD POLICY S32-630

MEDICAL EXAMINER SERVICES

Motion was made by Mr. Chance, and seconded by Mr. Chetlain, to approve a three-month extension of the contract between Manatee County and the Medical Examiner of the Twelfth District for the provision of Medical Examiner Services within Manatee County. Motion carried unanimously.

Mr. Chance moved the contract be prepared. Motion was seconded by Mrs. Glass and carried unanimously.
(Enter Mr. Fletcher)

UTILITIES - IMPACT FEES

Comments by Nick Baden, attorney, regarding applicability of impact fees being imposed on a customer to move a meter to another location on the same utility system, was referred to the County Attorney for research. (Future agenda item)

SOLAR ENERGY - PUBLIC SAFETY COMPLEX

The request by Jim Roberts and Dick Nowak of Energy Sunpower to present proposal to use solar energy in the Public Safety Complex was referred to the County Administrator.

Recess/Reconvene - All Members present.

CHRIS-CRAFT - INDUSTRIAL DEVELOPMENT REVENUE BONDS (MURRAY)

Re: Industrial Development Revenue Bond Issue in the amount of \$1,200,000 by the County of Manatee, Florida, for Chris-Craft Sportboats, Inc. (closed July 15, 1979).

In his letter of October 19, 1982, E. N. Fay, Jr., attorney, advised that Chris-Craft Industries, Inc., as the parent corporation had guaranteed subject bond issue; that the corporate stock of Chris-Craft Sportboats was sold to Murray Industries, Inc., and the corporate name was changed to Murray Chris-Craft Sportboats, Inc.; that it was agreed to release the parent corporation as Guarantor.

He requested the Board accept into the record certain documents being submitted in connection with this transaction and to authorize execution of the appropriate release to Chris-Craft Industries, Inc.

Mrs. Glass moved to accept into the record
= letter dated October 4, 1982, from McCune, Hiaasen, Crum, Ferris & Gardner
= letter dated December 24, 1981, from Freeman, Richardson, Watson & Kelly, P.A.,
= approve the Release and authorize execution by the Chairman, to be furnished to Mann and Fay in escrow for delivery simultaneously with the execution of similar releases by Southeast Banks, N.A., as the holder of the bonds and as the Trustee for this bond issue, and upon said Trustee obtaining an acceptable Letter of Credit. Motion was seconded by Mr. Chetlain and carried unanimously.

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INSURANCE: GULF LIFE (GROUP RATE INCREASE)

Richard L. Johnston, Risk Manager, requested approval of Gulf Life Group monthly rate increase for Class Nos. 1050, 5100, 5101 and 5150. By memorandum dated November 17, 1982, he explained that the change will affect Manatee County employees aged 65 through 69 whose present monthly premium rate is being discounted 40 percent. This discount will be discontinued. Until such time as the Federal Government provides instruction on applicable dependents, Gulf Life will treat dependents age 65 to 69 the same as active employees. Motion was made by Mr. Fletcher, and seconded by Mr. Chance, to approve the recommendation of the Risk Manager outlined in memorandum dated November 17, 1982. Motion carried unanimously.

PARKS & RECREATION: YOUTH SOCCER ORGANIZATION

Mr. Chance moved for approval of the Board of Commissioners to an agreement between Mayso (Manatee County Youth Soccer Organization) and Parks and Recreation for construction of a storage and concession building at the 59th Street soccer complex as outlined in the signed agreement with Michael F. Pascuzzi and Wesley Fousts. Motion was seconded by Mrs. Glass.

The County Attorney pointed out that the word "sold" in the second line of the fifth paragraph should be corrected to sole.

Motion carried unanimously.

RECORD AGREEMENT

S32-631

SIDEWALK DEVELOPMENT PLAN

The Planning Director reviewed his report and recommendations, outlined in memorandum of November 19, 1982, on establishing a comprehensive sidewalk program.

There was discussion on his recommendations to take steps to:

1. Inventory existing sidewalks
2. Inventory sidewalks required of new development
3. Establish a system for tracking new sidewalks
4. Prepare first year plan for remedial sidewalk installation,
5. Establish assessment mechanism (costs)
6. Establish for infill procedure (review of system and assessment)
7. Establish long-range remedial sidewalk plan
8. Review Land Development Code Standards (Re: waivers/deferrals).

Mrs. Glass moved to authorize staff to proceed with the project. Motion was seconded by Mr. Fletcher and carried unanimously.

UTILITIES: ANNA MARIA ISLAND RELIEF LINE

Jim Rhinehart, Manatee County Utilities System, submitted an agreement with Camp, Dresser and McKee, Inc., for engineering services in connecting a 16-inch water main from Anna Maria Island to the mainland.

Mr. Fletcher moved to approve the recommendation of the Manatee County Utility System for the Agreement between Manatee County and Camp, Dresser and McKee, Inc., as "Extra Work Authorization No. 3" (\$44,697), consisting of detailed engineering design plans and specifications necessary to obtain permits and to construct a 16-inch water main, attaching the main to the Florida Department of Transportation Manatee Avenue Bridge to Anna Maria Island. Motion was seconded by Mr. Chance.

After discussion, Mr. Fletcher amended his motion to include "subject to review and approval of the County Attorney." Motion as amended carried unanimously.

RECORD AGREEMENT

S32-632

UTILITIES: LIMITED POWER OF ATTORNEY (SUMMARY CLAIMS)

Mrs. Glass moved to adopt a

RESOLUTION GRANTING LIMITED POWER OF ATTORNEY FOR SUMMARY CLAIMS IN THE COUNTY COURT OF MANATEE COUNTY, FLORIDA

to Bernitha A. Thomas, Document Control Specialist of the Manatee County Utilities Department, to take action and perform the duties necessary in summary claim proceedings in connection with Manatee County Utilities Department; terminating appointment of Beverly J. Foy (resolution adopted February 24, 1981). Motion was seconded by Mr. Fletcher and carried unanimously.

RECORD RESOLUTION

S32-633

COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mrs. Glass, seconded by Mr. Chance, the County Administrator's Consent Agenda dated November 30, 1982, was unanimously approved. Items Approved included:

Human Services

1. SAMOSSET CLINIC/G.T. BRAY CENTER

Change Order #1 - increase contract \$2,655, Bill Halfacre, Inc.

2. MENTAL HEALTH

Second Addendum to Community Care for Elderly Agreement with Manatee County Community Mental Health Center, \$7,394.

RECORD

S32-634

Parks & Recreation

Red Clay Annual Requirements, - Award to Gould Trucking.
(Bid 83-16-135-00)

Transportation Highway; Transit

1. 33rd Street East/SR 70 Intersection Project 4035 - Award to Earl Collins, Inc., \$113,889.65. (Bid 83-20-C00-07)

2. Affidavits for Access

a. Thomas Keogh, 6811 6th Street West, Bradenton.

b. Edward Gulash, Block F., Palma Sola.

3. Special Bus Tickets for Medicaid Clients - Execution of Contract with Florida Department of Health & Rehabilitative Services (HRS)

RECORD CONTRACT

S32-635

UTILITIES

1. Submersible Sewage Pumps Replacement - Award to Barney's Pumps, \$43,863. (Bid 83-18-720-60)

2. Recharge-Recovery Well "B-2"/Modifications to Monitor Well "A" - Execution of contract with Harry Cannon Well Drilling, \$64,430. Acceptance of Performance Payment Bond (Fidelity and Deposit Co.) & Certificate of Insurance.

RECORD CONTRACT

S32-636

DEEDS/EASEMENTS - Accepted:

1. Cortez Road - Warranty Deed from Steak & Ale of Florida, Inc. (Bennigan's Tavern)

2. 67th Street West for U.S. Postal Service - Warranty Deed from Thomas B. & Jane B. Brown (Parcel No. 1.1).

HOUSING FINANCE AUTHORITY

Adoption of

Resolution Designating Mary K. Brownell as Chairman and Richard S. Olson as Vice-Chairman of the Housing Finance Authority from 10/1/82 to 10/29/83.

RECORD RESOLUTION

S32-637

TAX SALE CERTIFICATE (STERN)

Duplicate Tax Sale Certificate No. 167 to Herbert Stern

GUN PERMITS

Adoption of

Resolution Prescribing Application Form for Issuance of Permit to Carry Concealed Pistol and rescinding resolution adopted October 26, 1982.

RECORD RESOLUTION

S32-638

(End Consent Agenda)

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Cont'd

TRAVEL AUTHORIZATION

Upon motion by Mr. Chance, seconded by Mr. Fletcher, request for authorization to travel was unanimously approved for Mr. Vickers to attend an Alcohol and Driving Seminar in Tallahassee, December 8-10, 1982.

LAKE MANATAEE FLOODWAY

The County Attorney submitted Closing Statement, Warranty Deed and Affidavit of No Liens in connection with County acquisition of Lake Manatee Floodway property from Stephen J. and Bonny Looby for \$85,000.00.

Mr. Chance moved the documents be accepted into the record. Motion was seconded by Mrs. Glass and carried unanimously.

OCEAN DUMPING SITE/TAMPA HARBOR DREDGING PROJECT

The County Attorney (having consulted with William Earl, Environmental Attorney) suggested the Board request a public hearing on a new Ocean Dumping Site and authorize the Chairman to sign the letter of request (U.S. Corps of Engineers).

Mrs. Glass so moved. Motion was seconded by Mr. Fletcher and carried unanimously.

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Fletcher, seconded by Mrs. Glass, the Clerk's Consent Calendar dated November 30, 1982, was unanimously approved:

BILLS FOR PAYMENT:Attorney's Fees:General Fund:

Balance before payments: \$496,602.85

Balance after payments: \$444,847.53

Lane, Trohn, Bertrand & Williams:

Frank Anderson v. Co.	\$ 36.35	
Hidden Pines v. Co.	327.79	
FPL v. Thos. C. Braddock	24.30	
Co. v. Dr. Royce Hall	165.20	
Co. v. Alvin Westberry	58.75	
Luke Lachance v. Newbern Groves	413.27	
V. Sullivan v. Michael Mutko	323.78	
M. M. Lamb v. Airport	391.45	
Fred Sutton v. Co.	454.24	
Sign Ordinance Matter	447.84	
Co. - Miscellaneous	78.00	
Haller, Glasgow v. Co.	532.00	
Tax Lease Buy Back of Bus Deprec.	450.00	
Status Reports	492.00	\$ 4,194.97
Peeples, Earl, Reynolds & Blank: Ocean Dumping (9/82)		18,067.15
	Ocean Dumping (10/82)	29,493.20
Refund: Alicia S. Reed (OB Clinic)		150.00

WARRANT LIST:

Approve: November 23 to November 30, 1982

Authorize: November 30 to December 7, 1982

ACCEPT INTO RECORD:

Loral Metals Technology, Inc. - Financial Statements (IDB Issue)
Manatee Co. Mosquito Control - 1982-83 Budget Resolution

STATE BOARD OF ADMINISTRATION: INVESTMENT OF FUNDS

Upon motion by Mr. Chance, seconded by Mr. Chetlain, a Resolution was unanimously adopted

Authorizing the Clerk of Circuit Court to Transmit County Funds (in excess of current needs) to State Board of Administration to be Invested According to Applicable Laws of the State of Florida.

RECORD RESOLUTION

S32-639

TRAVEL REQUEST

Upon motion by Mrs. Glass, seconded by Mr. Chance, request for travel authorization was unanimously approved for Mr. Fletcher to go to Tallahassee, December 1, 1982, to discuss State Transportation funding matters.

MEETING ADJOURNED

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

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MEETING RECONVENED

The Chairman reopened the meeting at 11:56 a.m. and declared the Board in session to hear presentation by Arnold Greenfield, former Financial Advisor, regarding his statement rendered for fees and expenses.

FINANCIAL ADVISOR (FORMER): FEES & EXPENSES

Arnold Greenfield, former Financial Advisor, answered questions regarding professional services and expenses incurred in connection with lease revenue obligations for Manatee Memorial Hospital and Department of Transportation transactions in the amount of \$23,408.51 (statement dated May 24, 1982, for fees \$20,000; expenses \$3,408.51)

Richard Ashley, Chief Deputy Clerk, read a memorandum from R. B. Shore, dated May 13, 1982, outlining various problems in the lease purchase agreements; i.e., pledge of all non-ad valorem revenues of the County, all non-ad valorem revenue not already pledged is taken as collateral and an unworkable arrangement for returning to the County interest earned on investments.

(Depart Mrs. Glass)

Discussion was held regarding procedure in sending out Requests for Proposals; proposals/documents/activities being handled specifically by Mr. Greenfield; all non-ad valorem revenues of the County being pledged, etc.

(Depart Mr. Fletcher)

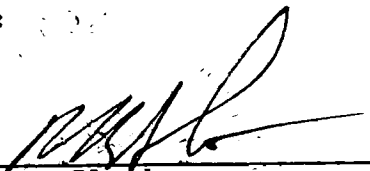
Discussion continued as to whether the Board and/or staff were aware of changes made in the final documents, the existence of defeasance clauses in the agreements, etc. No action was taken.

MEETING ADJOURNED

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

Attest:

APPROVED:



Clerk



Chairman 3/1/83

Adj: 12:48 p.m.