

FEBRUARY 11, 1986

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, February 11, 1986, at 9:07 a.m.

Present were Commissioners:  
Westwood H. Fletcher, Jr., Chairman  
Lloyd C. Hagaman, Jr., Vice-Chairman  
Edward W. Chance  
Kent G. Chetlain  
Maxine M. Hooper

Also present were:  
Ronald H. Rabun, County Administrator  
H. Hamilton Rice, Jr., County Attorney  
Richard H. Ashley, Chief Deputy Clerk, representing  
R. B. Shore, Clerk of Circuit Court

Representatives of the various news media were present.

Invocation by Rev. Roy Reynolds, Bayshore Baptist Church.

The meeting was called to order by Chairman Fletcher.

**PROCLAMATIONS**

Cortez Fishing Festival Day  
Upon motion by Mr. Chetlain, seconded by Mrs. Hooper, a proclamation was unanimously adopted designating February 22, 1986 as "Cortez Fishing Festival Day" in Manatee County.

RECORD PROCLAMATION S35-206

National Engineer's Week  
Upon motion by Mr. Hagaman, seconded by Mr. Chetlain, a proclamation was unanimously adopted designating February 16-22, 1986 as "National Engineer's Week".

RECORD PROCLAMATION S35-207

**ZONING: PDI 85-02/85-S-57 AIRPORT BUSINESS CENTER NORTH**

In the meeting of February 4, 1986, action was taken to reconsider approval of Preliminary Plat for PDI 85-02/85-S-57, Airport Business Center North. In order to allow the applicant proper notice (fifteen days), Mr. Hagaman moved to continue PDI 85-02/85-S-57 to February 27, 1986. Motion was seconded by Mrs. Hooper and carried unanimously.

**BUDGET STATUS REPORT**

Jim Seuffert, Office of Management and Budget, presented and reviewed the Budget Status Report for the first quarter of FY 86.

**COUNTY ADMINISTRATOR'S CONSENT AGENDA**

Upon motion by Mr. Hagaman, seconded by Mrs. Hooper, the County Administrator's Consent Agenda was unanimously approved after deletion of two items to be handled by separate motions:

1. Cable Television - letter to CTIC & Associates;
2. Growth Management Legislation - Rule J9-10.

**APPROVAL FOR ACCESS:**

Robert W. Smith - Lot 5 & 6 Block C Manasota Park; 2904 13th Street Court East.

**DEEDS & EASEMENTS**

1. Manatee Avenue/67th Street West - Easement from Herman Brameister for Right-of-Way.
2. Tallevast Community Development Block Grant
  - a. Lord's Subdivision - Warranty Deed from Harry and Theresa Robinson for Right-of-Way; Partial Release from United First Federal S&L;
  - b. Quit Claim Deed from Seaboard System Railroad for Right-of-Way.

**HANDI-BUS TRANSPORTATION SERVICE - PROJECT HEARTH**

Execution of Agreement with Council on Aging providing private-pay clients transportation service to Project Hearth - 1/1/86 - 12/31/86 not to exceed \$5,000.

RECORD: CONTRACT FILE 3212

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(Cont'd)

**LANDFILL FEES - BETTER MANATEE DAY**

Fees for bins waived on 3/8/86 for benefit of Better Manatee Day.

**HEALTH UNIT CONTRACT**

Authorization for Chairman to initial correction on contract with Health & Rehabilitative Services (11/19/85) for services funded.

RECORD: CONTRACT FILE  
3138

(End Consent Agenda)

**CABLE TELEVISION**

Michael Hunt, Public Utilities Attorney, stated the pending sale of Group W Cable TV to a consortium of five companies prompted CTIC Associates (a private firm/information center) to offer its services in connection with negotiation, strategy, etc. He recommended declining those services as the Cable Advisory Committee and staff are knowledgeable in those areas.

Mr. Chetlain moved that the Chairman be authorized to sign a letter to CTIC Associates declining their services with respect to the impending Group W sale. Motion was seconded by Mrs. Hooper and carried unanimously.

**GROWTH MANAGEMENT LEGISLATION - RULE 9J-10**

Fred Goodrow, Planning Director, advised Rule 9J-10 proposed by the Department of Community Affairs provides for the allocation of money to local governments for expenditure on preparation of Comprehensive Plans (required by 1985 Growth Management Legislation). He stated County funding should be at least \$30,000; however, analysis indicate staff costs at \$331,000 and consultants at \$368,000.

Mr. Chetlain moved that the Chairman be authorized to sign a letter of comment on the proposed Rule 9J-10 by the State Department of Community Affairs addressing the allocation, disbursement and general administration of a financial assistance program by local governments. Motion was seconded by Mrs. Hooper and carried unanimously.

**WEST COAST MEDICAL TRANSFER SERVICE - CERTIFICATE OF PUBLIC CONVENIENCE**

Mr. Chetlain moved to adopt

R-86-39 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE ISSUANCE OF A LIMITED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO WEST COAST MEDICAL TRANSFER SERVICE, INC. FOR THE PROVISION OF BASIC LIFE SUPPORT SERVICE; SETTING FORTH CERTAIN LIMITATIONS; REQUIRING COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS; ESTABLISHING ADDITIONAL CONDITIONS; AND PROVIDING FOR THE DURATION OF THE CERTIFICATE.

Motion was seconded by Mr. Hagaman and carried unanimously.

RECORD RESOLUTION

S35-208

Mr. Hagaman moved to authorize execution of an agreement terminating West Coast Non-Emergency Medical Transportation Agreement (12/18/84) and authorize Chairman to execute Certificate of Public Convenience and Necessity. Motion was seconded by Mr. Chetlain and carried unanimously.

RECORD: CONTRACT FILE  
RECORD CERTIFICATE

3213

S35-209

**EMERSON POINT - SNEAD ISLAND**

(Thomas Michaelson, Court Reporter, present)

Mr. Fletcher submitted three letters supporting development of Emerson Point into a park.

Hamilton Rice, County Attorney, stated Hy Kom Development Company (owners of the site for Sunset Pointe Condominium Project on Emerson Point) are willing to negotiate sale of the site, with certain conditions. Referring to a letter from Alan Prather, counsel for Hy Kom Development Company, he stated conditions are:

1. County stipulate the time on the building permit as referenced within the correspondence of 1/14/86 is tolled

during the pendency of negotiation and construction will remain status quo.

2. Negotiations proceed with a forty five (45) day time limit.

As Mr. Prather was not present, further discussion was deferred until later in the meeting.

**GUN PERMITS**

Gaele Carlyle Young - R-86-37

As the County Attorney had certain reservations about application by Gaele Carlyle Young for gun permit meeting requirements established in Ordinance 81-9, Mr. Hagaman moved to defer this item until such time as additional information is received. Motion was seconded by Mr. Chetlain and carried unanimously.

Murry Warren Arbo - R-86-36

Mr. Hagaman moved to adopt

R-86-36 A RESOLUTION AUTHORIZING THE ISSUANCE OF A  
PERMIT TO CARRY A CONCEALED PISTOL.  
 (American Liberty Insurance Company - Surety)

Motion was seconded by Mrs. Hooper. Voting "Aye" were Mr. Hagaman, Mrs. Hooper, Mr. Chetlain and Mr. Fletcher. Voting "No" was Mr. Chance. Motion carried.

RECORD RESOLUTION

S35-210

**COUNTY COMMISSIONERS MEETING CANCELLED**

Inasmuch as the Beker Phosphate hearing before the State Land and Water Adjudicatory Commission is set for February 18 (regular Board meeting date) the County Attorney recommended the meeting be cancelled and another date set as road Participation Project Public Hearings are scheduled that date (allowing proper time for notice).

Discussion: Two Commissioners attending the Beker hearing with three holding the public hearings on the 18th; problems if a quorum not present; each project needing unanimous vote if only a quorum present; alternate dates for rescheduling; work session prior to meeting, etc.

Motion - Meeting Cancelled

Motion was made by Mr. Hagaman to cancel the February 18th meeting and reestablish a special meeting Thursday, February 20 at 9:00 a.m. Motion was seconded by Mr. Chance and carried unanimously.

(Depart Mr. Chance)

Motion - Reconsideration

Upon request by the County Attorney to review requirements for proper notice, Mr. Hagaman moved to reconsider the motion cancelling the meeting of February 18. Motion was seconded by Mr. Chetlain and carried unanimously.

Recess/Reconvene. All members present.

The County Attorney advised a ten day notice is required prior to hearing a Special Assessment matter making February 25 the earliest possible date for rescheduling.

Motion - Public Hearing/Meeting Rescheduled

Mr. Hagaman moved to cancel the meeting of February 18 and schedule a public hearing for February 25, at 9:00 a.m. or as soon thereafter as may be heard. Motion was seconded by Mr. Chance. Voting "Aye" were Mr. Hagaman, Mr. Chance, Mrs. Hooper and Mr. Fletcher. Voting "No" was Mr. Chetlain. Motion carried.

**CHAMBER OF COMMERCE - ENTRANCEWAY SIGN MAINTENANCE**

Charles Hunsicker, Acting Assistant County Administrator, relayed request from the Chamber of Commerce that the Chairman sign a letter to Florida Department of Transportation (FDOT) agreeing to maintain sites for placement of signs at entranceways to the County. He advised that the request by the Chamber of Commerce, is for Site No. 4 (University Parkway) and No. 5 (US 41 at the Airport), and the draft letter should be amended to specify two sites instead of five.

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Neil Spiritas, Chamber of Commerce, introduced Tyrone Shinn and John Moody who are also working on the project. He stated the signs will be three feet by nine feet (not 2 X 6 as stated in the draft) to comply with County standards.

Suggestion was made that the Chamber also contact various civic associations and the Tourist Development Council for funding and support for the other locations.

Motion was made by Mr. Chance to authorize the Chairman to sign a letter, as amended (number of sites, size of sign), to Monts DeOca (FDOT) agreeing to maintain sites Nos. 4 and 5 for placement of signs at the entranceways to Manatee County and the Board's support of this project be communicated to the Tourist Development Council. Motion was seconded by Mr. Chetlain and carried unanimously.

**EMERSON POINT - SNEAD ISLAND (Cont'd)**

(Tom Michaelson, Court Reporter, present)

Inasmuch as legal counsel for Hy Kom Development could not be present, and it was deemed action unnecessary at the time, Mr. Chance moved to authorize the County Attorney to communicate the Board's feelings on this matter to Mr. Prather and other interested parties. Motion was seconded by Mr. Chetlain and carried unanimously.

**OUTSTANDING FLORIDA WATERS - SARASOTA/LEMON BAYS**

Mr. Hunsicker stated that the Environmental Regulation Commission (ERC) will meet on February 19 to to consider a petition by Manasota 88 and others to designate the waters of Sarasota Bay and Lemon Bay as Outstanding Florida Waters (OFW).

Randy Armstrong, Department of Environmental Regulation (DER) and Charles Miller, Southwest Florida Water Management District, were present to make a slide presentation and answer questions.

Discussion: OFW maintain above-standard quality; degradation of quality not permitted; tributaries and artificial water bodies are excepted; future marinas, bridges, utility lines; variances; Pinellas County response to OFW classification; effects on Transportation and Utilities Departments; etc.

Recess/Reconvene. All members present except Mr. Chetlain.

Harry Ely, Transportation Department, stated any questions regarding the drainage requirements of this classification would most likely be answered upon application for a permit as each situation is unique.

(Enter Mr. Chetlain)

(Depart Mr. Chance)

Responding to questions regarding dredging, John Norrie, Transportation Department, stated he was advised by DER that the Cedar Hammock dredge project was "grandfathered in", the Palma Sola project was approved with exception and the Bowlees Creek permit was in process.

Richard Wilford, Utilities Director, expressed concerns about future utility construction to meet the needs of Island communities.

Hildegard Bell spoke in favor of the OFW classification.

(Enter Mr. Chance)

Discussion: supporting the petition, with caveats; supporting the petition for only a portion of the waters, etc.

Mr. Hagaman moved to Direct staff to prepare and the Chairman to sign for ratification and confirmation of the Board, a Resolution supporting the Outstanding Florida Waters Petition for Sarasota Bay and stating its concerns to protect the public health, safety and welfare of the citizens of Manatee County including without limitation:

1. The establishment and expansion of evacuation routes from the Islands;
2. The establishment and expansion of utility systems to population centers in or adjacent to Outstanding Florida Waters; and
3. Protection of overall recreational enjoyment.

Motion was seconded by Mr. Chance and carried unanimously.  
 (Note: Resolution to be recorded upon ratification.)

**CLERK'S CONSENT CALENDAR**

Upon motion by Mr. Hagaman, seconded by Mrs. Hooper the Clerk's  
 Consent Calendar for February 11, 1986 was unanimously approved:

**BILLS FOR PAYMENT:**

Lanzo Construction -N Sub Reg W/W Fac, Ph I, Seg A, #7	\$14,250.00
Larson Engineering -N Sub Reg W/W Fac, Ph 1, Seg A	14,682.55
Danis-Shook of Fl - SW Reg W/W T/Plant Exp. #9	18,000.00
Walrus Construction -MCPUD Metal Bldg & Mezzanine	11,300.00
Walrus Construction -P&R Metal Bldg	51,440.00
Cherry Bekaert & Holland - Port's Fin Stmt FY 9/30/85	2,930.26
Cherry Bekaert & Holland - County Fin Stmt FY 9/30/85	17,643.09
Edwin T. Mulock, P.A. - Prof svcs, A-1 used auto parts	426.60
Clerk of Circuit Court - Traffic violation (D. Robinson)	43.50
Dept. of Labor & Employment Security -Unemployment Comp	5,950.89

**REFUNDS:**

Sandra Guel - Child Safety Seat Deposit	10.00
George Gunn - Animal Cage Deposit	20.00
Jean Bauer - Class registration fee, Oil Painting	30.00
Florence Sepa - Class registration fee, Oil Painting	30.00
Dorothy Mathey - Class registration fee, Oil Painting	30.00
West Coast Optical - License/transport waste denied	100.00

**WARRANT LIST:**

Approve: February 4, 1986 to February 10, 1986  
 Authorize: February 11 to February 17, 1986

**AUTHORIZE CHAIRMAN TO SIGN:**

Partial Release of Lien:

- Luemitia Martin, Proj #760, Lots 97 & 98
- Leendert A. & Cora J. Struik, Proj #9052 Acct#16 & 17
- Robert Q. & Joyce Manley - Proj #9052, Lot 71 Acct #58
- Robert Q. & Joyce Manley - Proj #9052, Lot 72 Acct #59

**APPROVE, RATIFY, & CONFIRM:**

A.G. Holley State Hosp.- admission of Isaiah Freeman Jr.  
 P & R Special Interest Classes Instructor's Agreement: Paul Kirk  
RECORD: CONTRACT FILE

3214

**ACCEPT FOR THE RECORD**

Sun Coast Plastics Inc.: Industrial Development Revenue Bonds,  
 \$3,600,000 1985 Series, Bound Volume  
Manatee Mental Health Center, Inc.: Industrial Development Bonds,  
 \$2,500,000 1985 Series, Bound Volume

**COMMISSIONERS' COMMENTS/REPORTS**

**Road Construction Contracts**

Mr. Chetlain: Relayed complaints regarding road construction (traffic jams, contracts being awarded months before construction begins due to the unsuccessful bidders complaint process).  
 Disposition: Staff directed to prepare a resolution requesting legislation expedite contractors complaint process, review bond requirements.

**Terra Ceia Causeway**

Mr. Chetlain: Requested review of the No Parking Ordinance with regard to overnight camping on the Terra Ceia Causeway.  
 Disposition: Referred to County Attorney.

**Snead Island - Heritage Bay**

Mr. Chetlain: Requested review of sewer line permit to Heritage Bay on Snead Island.  
 Disposition: Referred to staff.

**Legislative Liaison**

Mr. Fletcher: Requested suggestions on filling position of Legislative Liaison for the coming session. Discussion: staff member; Board members monitoring the session; a Tallahassee law firm.

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Correspondence (Read by Chairman)

1. From Sandra L. Smith, President of the Board of Directors of The Deaf Service Center of Manatee Inc., regarding services for the deaf and hearing impaired.
2. From Robert W. Saunders regarding proposed Impact Fees for residential building.

Airport Relocation

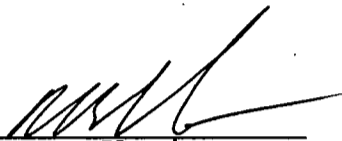
Mr. Chance: Suggested referendum regarding relocation of the Sarasota-Bradenton Airport  
 Disposition: To be placed on the February 25, 1986 agenda.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:

  
 \_\_\_\_\_  
 Clerk

  
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 Chairman 2/11/86

Adj: 4:30 p.m.

