

APRIL 8, 1986

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, April 8, 1986, at 9:03 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. Lawrence T. Gates, First United Methodist Church.

The meeting was called to order by Chairman Fletcher.

AWARDS - MERITORIOUS SERVICE

Ramsden, Peter

A Meritorious Service Award was presented to Peter Ramsden, Clerk's Office, in recognition of his time and efforts donated to the Palmetto Little League and development of the Little League Field at Blackstone Park.

Medical Personnel Pool/Upjohn

A Meritorious Service Award was presented to Medical Personnel Pool of Tampa-St. Petersburg and Upjohn Healthcare Services for homemaker and personal care services to elderly Manatee County residents. Shelene Hise, Administrator/General Manager of Medical Personnel, and Cathy Raderchak, Administrator of Upjohn, were present to accept the award.

PROCLAMATIONS

Girls Club

Upon motion by Mrs. Hooper, seconded by Mr. Chetlain, a proclamation was unanimously adopted designating April 14-18, 1986 as "Girls Club Week" in Manatee County. Pat Benson and Julie Taylor, Girls Club representatives, were present to accept the proclamation.

RECORD PROCLAMATION S35-322

American Home Week

Upon motion by Mr. Hagaman, seconded by Mr. Chetlain, a proclamation was unanimously adopted designating April 13-19, 1986, as "American Home Week".

RECORD PROCLAMATION S35-323

STREET VACATION - ONECO PARK SUBDIVISION

Public hearing (Notice in The Bradenton Herald, 3/17/86) was opened for the purpose of considering

R-86-42-V AN APPLICATION BY SAUNDERS INDUSTRIAL PARK, INC., A FLORIDA CORPORATION, TO VACATE LOTS 2 & 4, LESS AND EXCEPT ANY PORTION ALONG THE WEST BOUNDARY ACQUIRED FOR U.S. 301, BLOCK 10 AND LOTS 1, 2, 3, & 4 OF BLOCK 9, ONECO PARK SUBDIVISION (PLAT BOOK 1, PAGE 217)

Tom Fenton, Public Works/Highway, submitted staff report indicating there were no objections by county reviewing agencies and no impact on delivery of county services by vacation of this portion of the plat.

Tom McCollum, Zoller, Najjar & Shroyer, Engineers, expressed concern about the length of time involved in obtaining final subdivision plat approval and requested that the plat approval process be simplified. Russ Curran, President of Saunders Industrial Park, Inc., reiterated concern regarding complexity of the plat approval process.

Public hearing was closed.

Upon motion by Mrs. Hooper, seconded by Mr. Hagaman, Resolution was unanimously adopted approving R-86-42-V.

RECORD RESOLUTION

S35-324

The County Administrator was instructed to investigate the procedures used in final subdivision plat approval.

STREET VACATION - AL-AND-ALE SUBDIVISION

Public hearing (Notice in The Bradenton Herald, 3/17/86) was opened for the purpose of considering

R-86-14-V AN APPLICATION BY DOROTHIA E. MCCARTHY TO VACATE LOTS 13 THRU 35, SECTION 28, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, LESS AND EXCEPT A UTILITY EASEMENT WITHIN THE NORTHERNMOST 25 FEET AND WESTERNMOST 5 FEET OF LOT 13 AND THE NORTHERNMOST 25 FEET AND EASTERNMOST 5 FEET OF LOT 35 OF AL-AND-ALE SUBDIVISION (PLAT BOOK 4, PAGE 85). (A/K/A ALANDALE SUBDIVISION)

Tom Fenton submitted staff report indicating no objections by reviewing agencies, noting, however, that the applicant is conveying an easement back to Florida Power & Light, General Telephone and Group W. Cable and that Land Acquisition Division is serving notice that additional right-of-way (5 feet) along 43rd Street West will have to be dedicated to the County at the time of development.

Jim Farr, Larson Engineering, gave an update on the status of the property and Stuart L. Wood, Barnett Bank, requested that the traffic flow be a criteria in considering the use of the property.

Public hearing was closed.

Upon motion by Mr. Chetlain, seconded by Mr. Hagaman, Resolution was unanimously adopted approving R-86-14-V, vacating part of the plat and some of the easements in the Al-And-Ale Subdivision as follows: Lots 13 through 35 inclusive, less and except a utility easement within the northernmost 25 feet and westernmost 5 feet of Lot 13 and the northernmost 25 feet and easternmost 5 feet of Lot 35. Motion was seconded by Mr. Hagaman and carried unanimously.

RECORD RESOLUTION

S35-325

WASHINGTON PARK BORROW PIT

Motion was made by Mr. Chance, seconded by Mr. Chetlain and carried unanimously, to authorize the Public Works Department to apply for a dredge and fill permit (from Department of Environmental Regulations) to place clean fill and construction debris in the Washington Park Borrow Pit, and to authorize the Chairman to give written notice of this decision to the City of Palmetto.

PEACE RIVER/MANASOTA REGIONAL WATER SUPPLY AUTHORITY

Sonny Vergara, Administrator for Peace River/Manasota Regional Water Supply Authority, briefed the Board on the Water Supply Authority, created by interlocal agreement with Charlotte, DeSoto, Manatee and Sarasota Counties to resolve common water supply problems and to assist with specific problems.

He stated that an emergency interconnect study is currently underway for the purpose of determining the feasibility of interconnecting the major systems of the four-county area, such that one system might provide the other with water under emergency conditions.

To date funding has been provided by the Southwest Florida Water Management District (SWFWMD) and will continue to support funding of the interconnect study. The District, however, is now requesting member counties to plan funding the administrative cost of Fiscal Year 1986-87. He recommended the Board approve local share funding in an amount not to exceed \$16,500.

John Mindor, Boyle Engineering Corporation and Project Engineer for the study, gave a progress briefing on the study.

Mr. Chance moved to authorize the Board's representative to the Peace River/Manasota Regional Water Supply Authority to endorse equitable local share funding of the Authority's Fiscal Year 1986-87 administrative cost from the Utilities fund and execute the associated interlocal agreements as may be necessary for an amount not to exceed \$16,500. Motion was seconded by Mr. Chetlain and carried unanimously.

APRIL 8, 1986

(Cont'd)

PALMA SOLA CAUSEWAY (JET SKI RENTALS)

Avery Gould complained of commercial use of State-maintained road right-of-way, specifically jet ski rentals on the Palma Sola Causeway. The program is provided through an "Instructor's Agreement" with John Manning who teaches jet ski usage. Mr. Gould contends that this is an unlawful commercial operation and is an illegal function for the Parks and Recreation Department.

(Depart Mr. Chance)

David Rothfuss, County Administrator's office, advised the Parks and Recreation Department is considering requesting approval to advertise a Request for Proposal (RFP) to provide this type of activity.

The matter was referred to the County Administrator to investigate the legality of the jet-ski operation.

COQUINA BEACH: ENTRANCE IMPROVEMENTS

John Thomas, Highway Division, reported that three entrances to Coquina Beach and Bay Parks are proposed on Gulf Drive (Project 3123). Rather than acceleration/deceleration lane type entrances, the Florida Department of Transportation (FDOT) has recommended a single additional full lane between the three entrances (with left turn in both directions at the entrances) at an estimated cost of \$92,000. He stated that \$25,000 is available from FDOT, \$35,000 from Parks & Recreation, and requested the Board provide \$32,000 from contingency.

Motion was made by Mr. Chetlain to authorize the Director of Public Works to proceed with Project 3123 for improvements to Gulf Drive at Coquina Beach, using funds from Florida Department of Transportation and Manatee County Recreation Department, and that the Board provide a supplement of \$32,000 from contingency funds. Motion was seconded by Mr. Hagaman and carried unanimously.

HERITAGE BAY SUBDIVISION

Richard H. Wilford, Public Works Director, submitted final plat of Heritage Bay Subdivision, together with associated bonds and documents as outlined in memorandum of March 25, 1986:

Documents:

1. Final Plat;
2. Improvement Bond: \$47,850.00 (Letter of Credit, The Palmetto Bank & Trust Co. No. 178);
3. Agreement with Snead Island Joint Venture Warranting Required Improvements.

The County Attorney suggested that approval be subject to the provision that it does not in any way constitute approval of, or consent to, annexation of this subdivision to the City of Palmetto.

(Enter Mr. Chance)

Discussion; Compliance with sewage requirements, improvements, annexation, etc.

Mr. Chance moved approval and authorization to record final subdivision plat for Heritage Bay Subdivision, together with associated bonds and documents as outlined in memorandum dated March 25, 1986. Motion was seconded Mr. Hagaman. Voting "Aye" were Mr. Chance and Mr. Hagaman. Voting "No" were Mr. Chetlain, Mrs. Hooper and Mr. Fletcher. Motion failed to carry.

Mrs. Hooper moved to approve, and authorization to record, final plat of Heritage Bay Subdivision, together with associated bonds and documents as outlined in memorandum dated March 25, 1986, subject to provision that this does not constitute approval of, or consent to, annexation of this project into the City of Palmetto. Motion was seconded by Mr. Hagaman and carried unanimously.

Recess/Reconvene. All members present.

COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mr. Hagaman, seconded by Mrs. Hooper, the County Administrator's Consent Agenda dated April 8, 1986, was unanimously approved after deletion of: Coquina Beach Project Agreement with Department of Natural Resources (handled in separate action).

Items approved included:

ORDINANCES

Authorization to set public hearings on:

1. ORDINANCE 86-11 - Prohibiting stopping, standing or parking of motor vehicles on 24th Avenue Drive West (Boots Point Road); and Georgia Avenue.
2. ORDINANCE 86-12 - Prohibiting travel of vehicles at speeds in excess of established limits on 35th Avenue West; 20th Street East; 45th Street Court West (Palmetto Point); Commonwealth Road (8th Avenue West, Bay Colony); Arlington Road (Bay Colony); 43rd Street Boulevard West (Palmetto Point); Old Tampa Rd; 30th Street West; 41st Avenue East.

AFFIDAVITS FOR ACCESS

1. James Welch, Lot 13, Tract 3, Riverdale Revised
2. John W. Woodard III, 4616 2nd Ave NW, Riverdale Revised.

DEEDS & EASEMENTS

Cortez Road - Drainage easement and temporary construction easement from Joaquin Fernandez.

GRANTS; UMTA OPERATING & CAPITAL ASSISTANCE

Adoption of

R-86-81 RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR GRANTS UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED, AND THE SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982 (for UMTA Section 9 Operating and Capital Assistance for Fiscal Year 1986)

and authorization for the Chairman to sign letter of transmittal.

RECORD RESOLUTION

S35-326

LIBRARY

Execution of amended limited use agreement with DeSoto Celebration Inc to use north Central Library parking lot 4/12-13/86.

RECORD: CONTRACT FILE

3256

JOB TRAINING PARTNERSHIP PROGRAM

Authorization for Chairman to sign Concurrence Statement for submission of proposal for Job Training Partnership Act Title III grant for Dislocated Worker Program.

VETERANS - MONUMENT

Execution of agreement with Hill Campbell VFW Post 8085, Inc. providing for \$15,000 contribution to Manatee County Veterans Council for erection of monument honoring Manatee County Veterans (Manatee Memorial Hospital grounds).

RECORD: CONTRACT FILE

3257

COMMUNITY CARE ELDERLY

1. Authorization for Chairman to sign letter to Sears Termite & Pest Control providing notice of intent to terminate agreement for Chore Pest Control Services.
2. Execution of Grant Application/agreement with West Central Florida Area Agency on Aging, Inc; addenda to Subcontracts with service providers pursuant to Revision 1 to the 1985-86 Manatee County Community Care for the Elderly Program: Medical Personnel Pool; Upjohn Health Care Services, Council on Aging, Inc. and United Telesentinel.

(NOTE: United Telesentinal contract to be recorded upon receipt of corrected original from Human Services.)

RECORD: CONTRACT FILE
#3001, 3000, & 3002

3258

CENTRAL SERVICES

Public Works/Highway: 3/4-Ton Pick-Up - Purchase from Don Reid Ford, State Contract, with options, \$10,934.35.
(End Consent Agenda)

COQUINA BEACH: DUNE PROJECT

Motion was made by Mr. Chance, and seconded by Mr. Hagaman, to authorize execution of the Coquina Dune Protection Project Agreement with Department of Natural Resources for dune reconstruction, construction of dune walkways, and revegetation of an area severely impacted by Hurricane Elena. Voting "Aye" were Mr. Chance, Mr. Hagaman, Mrs. Hooper and Mr. Fletcher. Voting "No" was Mr. Chetlain. Motion carried.

RECORD: CONTRACT FILE

3259

APRIL 8, 1986

(Cont'd)

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Hagaman, seconded by Mr. Chance and carried unanimously, the Clerk's Consent Calendar dated April 8, 1986, was unanimously approved:

BONDS**Release:****-Whitfield Pines Subdivision:**

Cashiers Check, First Nat'l of Fla (Sidewalks)	\$ 4,188.00
Joseph Ungarelli - DW Permit No. 2431	100.00
James Shafer - DW Permit No. 3513	25.00
Mike Carter Construction - DW Permit No. 5091	600.00
Arthur Ziets - DW Permit No. 1587	100.00
Katz & Holleran - DW Permit No. 8255	150.00
Tharpe Construction, Inc. - DW Permit No. 1895	125.00

BILLS FOR PAYMENT:**Attorney Fees**

Lane, Trohn, et al - Legal Svs re Cullars v. M.C.	11,748.41
Bush, Ross, Gardner et al - Legal Svs re Marine II	375.00
Carlton, Fields, et al - Legal Svs re Cortez Marina	3,367.26
" " " " - Legal Svs re Murray Chris Craft	562.50
" " " " - Legal Svs re Manatee Mem Hosp	1,969.90
Burke, Bosselman - Legal Svs re Impact Fees - Jan. 1986	4,602.68
" " " " - Feb. 1986	2,993.00
USA Steel Fence Co. - Blackstone Park	4,198.20
Scarborough Constructors - SE Pump Sta & Force Mains	87,130.00
Larson Eng - N Subreg Chlorine Contact Chamber	511.45
" " - N Subreg WW Fac, Ph I, Seg A, Part D	956.29
Danis Shook -SW Reg WW Trmt Plant Expansion	615,723.30
Woodruff & Sons - Erie Rd Box Culvert, Pay No. 3	57,864.32
Camp Dresser & McKee - Water Supply Sys Study, Extra Wk Auth No. 4, Pay No. 5	22,446.43
Cherry Bekaert & Holland - Prof Svs (research, etc re Cnty Litigation)	2,881.86
Walrus Construction - P&R Maintenance Bldg, Final Pay	28,229.00

Refunds:

Walter Miller - Child Safety Seat Deposit (2)	20.00
Teresa Melillo - Child Safety Seat Deposit	10.00
C. Hopkins - Child Safety Seat Deposit	10.00
R. Shane - Child Safety Seat Deposit	10.00
Nancy Johnstone - EMS Overpayment	80.00
Leonard Federico - EMS Overpayment	56.00
Brenda Musall - EMS Overpayment	100.00
Central Life Insurance - EMS Overpayment	25.00
Edwin Hartman - Animal Cage	20.00
Miguel Rendo - Animal Cage	20.00
Beatrice Tiger - Animal Cage	20.00

WARRANT LIST

Approve: April 1, 1986 to April 7, 1986
 Authorize: April 8, 1986 to April 14, 1986

AUTHORIZE CHAIRMAN TO SIGN:

1. Partial Release of Special Improvement Assessment Lien:
Dudley W & Helen E Heflin - Project #675
2. Inter-City Construction Corporation, contract for construction of
Coquina Boat Ramp and Docking Facility (bid award and subsequent
execution authorized 2/25/86)

RECORD: CONTRACT FILE 3260

MINUTES FOR APPROVAL:

February 27, 1986 and March 4, 1986

(End Consent Calendar)

AUDITOR SELECTION COMMITTEE

Mrs. Hooper moved to accept into the record letter dated April 3, 1986, from Frank Perkins, Chairman, Manatee County Audit Selection Committee, giving notice that the Auditor Selection Committee will reconvene at 9:30 a.m., April 14, 1986. Motion was seconded by Mr. Chetlain and carried unanimously.

ORDINANCES (DRAFTS)

The County Attorney submitted for review preliminary drafts of Ordinance 86-1, regulating wildlife compounds in Manatee County, and Ordinance 86-13, regulating activities of commercial vendors and peddlers.

Brief discussion followed. No action.

COMMISSIONERS REPORTS/COMMENTS

Items referred to the County Administrator for future agenda:

1. Travel Agency - Feasibility of RFP (Request for Proposal).
2. Revenue Sharing (Continuation of) - Position of BCC.

SARASOTA COUNTY/WATER PURCHASE

The Board concurred in allowing the Chairman to meet with the County Administrator, Public Works Director and representatives of Sarasota County to discuss the sale of water to Sarasota County.

RECESS/RECONVENE

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

The Board reconvened at 1:34 p.m. with all members present except Mr. Chetlain.

SOUTHEAST AREA TASK FORCE RECOMMENDATIONS

Mayor Bill Evers, City of Bradenton, read his letter dated April 7, 1986, commenting on the Southeast Area Task Force recommendations (discussed March 27, 1986). He proposed that the County establish a Municipal Service Taxing Unit (MSTU) to assure that funds are available to maintain the quality of the City's water supply and that the County assume full responsibility for all damages to it. He also recommended:

- = Rolling back density in the low intensity zone to one unit per acre and banning nonresidential development;
- = Utilizing the Board's zoning powers to protect the City's watershed;
- = Rolling back the 60-percent maximum ground coverage to 40 percent as recommended in Smith & Gillespie's Report.

Carol Clarke, Planning Department, submitted revised

R-86-90 RESOLUTION ADOPTING AND IMPLEMENTING THE RECOMMENDATIONS OF THE SOUTHEAST AREA TASK FORCE

Discussion: Protection of all reservoirs, permitted density, whether affected property owners were properly notified, etc.

(Depart Mr. Chance)

Doris Schember, Manasota 88, and Mary Shepard, 3120 38th Ave, spoke in opposition to any development along the Braden River;
 Nicholas Lolly, President of a Homeowners Association, spoke in favor of decreased density;
 Bill Colson, representing Shroeder-Manatee, requested additional time to review the documents submitted in order to provide input;
 Bruce Siciliano, representing the Duke Benedict family, expressed concern regarding lack of proper notice.

(Enter Mr. Chance)

R. J. Lombardo, Consulting Engineer, submitted letter dated April 4, 1986, expressing concerns regarding lack of due public notice and institution of interim policies without more concise information.

Motion was made by Mr. Hagaman, seconded by Mrs. Hooper and carried unanimously, to accept into the record letter from R. J. Lombardo dated April 4, 1986.


Action was deferred to afford Board members an opportunity to review documents and consider comments received. It was agreed that additional written comments would be accepted until April 15th and the subject would be placed on the April 29, 1986 agenda.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:


 Clerk


 Chairman 5/13/86

Adj: 3:20 p.m.