

JUNE 3, 1986

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, June 3, 1986, at 9:02 a.m.

Present were Commissioners:

Westwood H. Fletcher, Jr., Chairman
Edward W. Chance, Jr., Vice-Chairman
Kent G. Chetlain
Maxine M. Hooper
Patricia M. Glass

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 Reverend Paul S. Elmore, First Baptist Church, Parrish.

The meeting was called to order by Chairman Fletcher.

PATRICIA M. GLASS (COMMISSIONER)

Judge Gilbert Smith administered the Oath of Office to Patricia M. Glass, County Commissioner (appointed by Governor Graham on 27 May 1986 to replace Lloyd C. Hagaman, Jr., resigned, for a term period ending November 17, 1986).

COUNTY COMMISSIONERS - VICE-CHAIRMAN

Nominations for Vice-Chairman of the Board of County Commissioners were:

| | | |
|-------------------|---|-----------------|
| Edward W. Chance | - | by Mrs. Hooper |
| Patricia M. Glass | - | by Mr. Chetlain |

Motion was made by Mrs. Hooper, seconded by Mr. Fletcher and carried unanimously, to close the nominations.

Four votes were acknowledged for Mr. Chance and one vote for Mrs. Glass.

Mr. Chetlain moved to cast unanimous ballot for Mr. Chance. Motion was seconded by Mrs. Hooper and carried unanimously.

AGENDA/DELETIONS

No action was taken on Resolutions on the County Administrator's Consent Agenda regarding insurance/bonds for the Civic Center Authority.

Report on the Green Bridge (deferred to next agenda).

5TH AVENUE NORTHWEST (SIDEWALK)

John Thomas, Public Works Department/Highway, reported that the cost estimate for piping the ditch for construction of a sidewalk on the south side of 5th Avenue NW from 71st Street east to 75th Street is \$30,963.86 if contracted; or \$26,000 using County work forces. The developer of Northwest Subdivision has offered a rebate of \$845.00 if he is not required to construct a sidewalk from 72nd Street to the right-of-way on 71st Street (between lots 17 and 18).

Mr. Thomas recommended the Board authorize piping the 5th Avenue NW Avenue ditch and that the developer be required to construct the sidewalk between Lots 17 and 18 from 72nd Street NW to 71st Street NW.

Mark Dillworth, Woods of Palma Sola, being duly sworn, spoke in opposition to construction of a sidewalk between Lots 17 and 18 and referred to photographs of the area submitted in a prior meeting.

Upon question, Mr. Thomas stated the purpose of a sidewalk between Lots 17 and 18 is to accommodate the Palma Sola Elementary School children, based on public safety and convenience, and that the sidewalk requirement along the pedestrian right-of-way was part of the plat approval (Palma Sola Woods Subdivision).

Discussion: Leaving the pedestrian easement open without paving, vacating the easement, etc.

Mr. Chetlain moved to authorize the piping of the ditch for the construction of the sidewalk on 5th Avenue NW between 75th Street and 1st (71st) Streets NW, and that the developer be required to pay his proportionate share toward that project based on his cost if he had built the sidewalk between lots 17 and 18. Motion was seconded by Mrs. Hooper and carried unanimously.

GOLF COURSE ROAD (PAVING)

By memorandum dated May 20, 1986, R. A. Wilford, Public Works Director, advised that the Trustees of the Palmetto Pines Golf Course, Inc., have offered to make a contribution to cover the cost of priming and paving Golf Course Road from Spencer-Parrish Road to Jim Davis Road. Staff recommended the Board approve the paving of Golf Course Road and agree to accept a contribution of \$23,550 from the Trustees of the Palmetto Pines Golf Course Inc.

Motion was made by Mr. Chance, seconded by Mrs. Hooper and carried unanimously, to approve the recommendation of staff.

CITIZENS APPEALS COMMITTEE

Nominations to fill two vacancies on the Citizens Appeals Committee were as follows:

| | | |
|----------------|---|-----------------|
| Helen D. Parry | - | by Mrs. Glass |
| John R. Howell | - | by Mrs. Hooper |
| John R. Cooney | - | by Mr. Chetlain |

Motion was made by Mrs. Hooper, and seconded by Mr. Chetlain, to close the nominations. Motion carried unanimously.

Three votes were acknowledged for Ms. Parry, three for Mr. Howell and three for Mr. Cooney. Upon polling the Board again, three votes were acknowledged for Ms. Parry, three for Mr. Howell, and one for Mr. Cooney.

Motion was made by Mr. Chance to cast a unanimous ballot for Ms. Parry and Mr. Howell and to confirm their appointment by letter from the Chairman. Motion was seconded by Mr. Chetlain and carried unanimously.

1986/87 BUDGET

Jim Seuffert, Director of Office of Management and Budget, submitted the Mid-Year Budget Status Report covering the period October 1, 1985 through March 31, 1986, outlined in memorandum dated June 3, 1986.

Motion was made by Mr. Chance, seconded by Mrs. Hooper, and carried unanimously, to accept the Budget Status Report as presented by the Office of Management & Budget in the June 3, 1986 memorandum.

RESERVE FOR CONTINGENCY STATUS REPORT

Mr. Seuffert submitted report dated June 3, 1986 on the status of the Reserve for Contingency fund, the balance of which is \$599,605. He reported that through the first eight months of the Fiscal Year, \$225,594 has been appropriated out of the reserve, or 27 percent of the original amount.

Anticipated requests from Reserve Contingency fund include: Mandated health care payments to outside providers; Parrish and Samoset Rural Health Facilities; privacy/security fence for Palmetto stockade; Snyder Building roof; Cortez Beach groins; gun range improvements; additional postage for voter registration cards; Planning & Development positions; tipping fees to clear debris from Beer Can Island; rent for additional office space; Courthouse renovations; Data Operations enhanced security; and Bayside Park costs.

Discussion: Using alternative funds designated for health care needs; funding items during the budget process; use of contingency funds for emergencies only; submitting future requests for funds from reserve for contingency in the form of agenda report; etc.

JUNE 3, 1986

(Cont'd)

Motion was made by Mrs. Hooper to accept into the record the report on Reserve for Contingency. Motion was seconded by Mrs. Glass and carried unanimously.

Recess/Reconvene. All members present.

BUDGET AMENDMENT

Upon motion by Mrs. Hooper, seconded by Mr. Chetlain, a resolution was unanimously adopted amending the 1986-87 budget to provide for the receipt and appropriation of unanticipated revenue:

PUBLIC WORKS (B-86-147)

Increase Revenue

Motor Pool - Charges to Others

Motor Pool - Various

\$418,413

RECORD RESOLUTION

S35-415

BEKER PHOSPHATE: STATE ROAD 64 RESTORATION

Mr. Wilford reported that the Florida Department of Transportation (FDOT) has notified them that SR-64 has been scheduled for widening/resurfacing in fiscal year 1986-87, and has inquired as to the status of \$200,000 paid by Beker Phosphate to the County to be applied to those repairs. FDOT has advised that if those funds can be made available to them by June 15, 1986, they could release other funds for improvements to the intersection of State Road 70 at 45th Street East.

He explained that FDOT has fully funded the SR 64 project which is expected to be let in December, 1986. If the County participates in the project with the \$200,000 paid by Beker, it would enable them to "free up" \$200,000 for other projects that would not otherwise begin until 1987-88. He recommended approval of the request noting that it would give the County an opportunity to capture \$200,000 in State funds for other projects.

H. Hamilton Rice, County Attorney, advised that use of the Beker funds could be subject to stay limitations imposed by the U.S. Bankruptcy Court; that the Court is aware that the \$200,000 is being held by the Clerk and would not look favorably upon releasing the money without bringing the matter to its attention. In addition, the Secretary of Transportation is reporting to the Court that the State Road 64 project is fully funded which places the funds being held in trust in a precarious position. He did not recommend release of the funds at this time and stated he would discuss the matter with the Court, through Judge Buschman.

Discussion: Use of funds for other than the State Road 64 project, deferring action until a determination is made by the Bankruptcy Court, clarification as to County/State rights to the funds, etc.

Mrs. Glass moved to authorize Counsel to proceed to secure the \$200,000 for Manatee County, by whatever method, to make certain that the money is not lost through bankruptcy proceedings, and to work out the details with the State so that the funds will be used for the purpose for which they were intended -- State Road 64. Motion was seconded by Mr. Chance and carried unanimously.

DEPARTMENT OF NATURAL RESOURCES, BUREAU OF BEACHES & SHORES

Motion was made by Mr. Chetlain, seconded by Mrs. Glass and carried unanimously, to authorize the Chairman to sign a letter to Governor Graham endorsing reappointment of Dr. Robert Dean as Director, Bureau of Beaches and Shores, Department of Natural Resources.

WHITFIELD ESTATES/ADDRESS CHANGES

William J. Maslanka, President of Whitfield Estates-Ballentine Manor Estates Association, complained about confusion resulting from the process of changing addresses in the South County area. He requested the Board halt the operation and reconsider making any changes.

He was advised that one of the reasons for changing the addresses is to establish a unified address system, and particularly to improve emergency vehicle response time.

Staff was directed to meet with Mr. Maslanka and the Homeowners Association to address any questions/concerns.

CORTEZ BEACH (GROIN REPAIR)

Charles Hunsicker, Assistant County Administrator, reported that the County is attempting to undertake beach groin repairs at Cortez Beach with a design different and less costly than that used at Manatee Beach and to obtain permits to reconstruct the groins in the original configuration which will require essential design changes to the concrete decking.

As outlined in memorandum dated May 28, 1986, from the County Administrator, he stated that:

1. Construction, materials and labor, is expected not to exceed \$300,000. Considerable savings should be expected if in-house labor and inspection is used.
2. The Parks and Recreation Department is interested in filing applications with the Department of Natural Resources for grant assistance; thus, utilizing the new design will require engineering drawings to complete the applications.
3. The Public Works Department, Engineering Design Section, can complete engineering drawings and provide technical support to the Parks and Recreation Department, not to exceed \$10,000.

It was recommended that warning signs be placed at the site to notify the public of the dangerous condition of the damaged groins.

Mr. Chetlain moved to approve the repair of the Cortez groins in concept, authorize the Parks and Recreation Department to apply for Beach Erosion Control Program funds for the repair of County groins with assistance from the Public Works Department and that direction be given to Parks and Recreation Department to post the necessary warning signs to protect the public. Motion was seconded by Mrs. Glass and carried unanimously.

COURTHOUSE RENOVATION

At the request of the County Administrator, Mrs. Hooper moved to defer discussion of space renovations of the Courthouse until June 24, 1986. Motion was seconded by Mr. Chetlain and carried unanimously.

COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mrs. Hooper, seconded by Mrs. Glass, the County Administrator's Consent Agenda was unanimously approved, after deletion of: (1) Work Assignment No. 87-1 with Camp, Dresser & McKee for the Annual Report (referred back to County Administrator); (2) resolutions from Civic Center Authority (not ready for approval); and (3) Street Vendors/Peddlers Permits (separate action).

Items **APPROVED** included:

CHILD CARE FACILITIES

Adoption of:

R-86-115 RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY RELATING TO REGULATION OF CHILD DAY CARE FACILITIES entrusting Health and Rehabilitative Services with responsibility for licensing and inspecting child care facilities in Manatee County.

RECORD RESOLUTION

S35-416

COMMUNITY CARE OF ELDERLY

Title III Older Americans Act - Execution of First Modification agreement with West Central Florida Area Agency on Aging, Inc.

RECORD: CONTRACT FILE

3152

JAIL PLANNING SEMINAR, PHASE II

Chairman to sign letter to National Institute of Corrections indicating replacement personnel to participate in the Phase II Jail Planning Seminar, Boulder, Colorado, 7/13-18/86 (Kent Chetlain as representative of the Commission on Criminal Justice Advisory Board, replacing Lloyd Hagaman; Ed Dix as representative of Sheriff Wells on the Criminal Justice Advisory Board, replacing J. Skip D'Alessio).

JUNE 3, 1986

(Cont'd)

DEEDS/EASEMENTS

1. Lift Station Site N-6B - Utility Easement from Stuart Logan & James Robert Anderson as Trustees; payment of \$1,031.00
2. 9th Street East - Warranty Deed from Orthodox Cathedral of Christ The Savior, Inc. for right-of-way; Affidavit of Ownership and Partial Release.
3. 26th Avenue East - Traffic Signal Device Easement from Mixon Fruit Farms, Inc.

ORDINANCE 86-21 - NO THROUGH TRUCKS

Public hearing on Ordinance 86-21 amending Ordinance 84-06, to regulate travel of certain through traffic on Palma Sola Boulevard., 51st Avenue West and 9th Street East/Pennsylvania Avenue.

ORDINANCE 86-20 - SPEED LIMITS

Public hearing on Ordinance 86-20, amending Ordinance 84-05, to prohibit travel of vehicles at speeds in excess of the established limit on Senrab Drive, San Juan Avenue, Denarvaez Avenue, Alhambra Drive, Seville Circle, Montezuma Drive, Cordova Drive, Portosueno Drive, Alcazar Drive, Casabella Drive, Estremadura Drive, Santiago Drive and Mallorca Drive.

9TH STREET EAST

Contract for Purchase from Harold W. and Lorraine C. Cooper for the right-of-way on 9th Street East, \$3,500.

RECORD: CONTRACT FILES 3284

AFFIDAVIT FOR ACCESS

Linda Moss, Riverdale Revised.

GRANT (ELDERBUS, 1986, REVISED)

Execution of revised 1986 Elderbus Grant application, reducing the Federal Share by 4.3 percent.

CENTRAL SERVICES

1. Emergency Alert/Response Services - Award Bid No. 86-83 to United TeleSentinel, on as required unit price basis of \$.75 for monitoring and \$95.00 for installation, not to exceed \$14,006, 7/1/86-6/30/87; subsequent execution of contract; issuance of notice to proceed after execution of contract and upon receipt of insurance certificates; authorization to extend contract, upon mutual agreement and availability of funding, from 7/2/87-6/30/88 on as required unit price basis of \$.79 for monitoring and \$95.00 for installation.
2. Type S-III Asphaltic Concrete - Award Bid No. 86-80 to Aspac-Florida, Inc., Earl Collins, and Gator Asphalt Co. on as required unit price basis, or on job site aggregate basis, whichever is in best interest of the County.
3. 4" Jet Pumps/Suction Hoses (2) - Authorization to issue Change Order No. 2 to Acme Wellpoint, increasing the original Purchase Order \$4,477.88, total cost not to exceed \$13,034.68.
4. Uninterruptible Power System - Sole Source purchase from KW Control Systems, Inc, \$135,219 total, through Leasing Technology Inc. (LTI) on a 5-year lease purchase for a cost of \$32,721, not to exceed \$167,940; subsequent execution of revised schedules to contract with LTI. The contract is to include a letter of intent stipulating the contract will be null and void if funding is not available to Data Information Services over the 5-year period.

SURPLUS PROPERTY

Adoption of

R-86-121

RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY-OWNED PERSONAL PROPERTY UNDER THE PROVISION OF CHAPTER 125.38, FLORIDA STATUTES

(Microfiche Reader, Asset Number 14647, from Clerk of Circuit Court to Sheriff's Department).

(End Consent Agenda)

RECORD RESOLUTION

S35-417

STREET VENDOR/PEDDLERS PERMITS

Street Vendor/Peddler's Permits were referred to H. Hamilton Rice, County Attorney, for review as to compliance with County Ordinances:

1. Street Vendor Permit: Jane Long to sell ice cream from various locations;
2. Street Vendor Permit: G. L. Miller d.b.a. White Pony Ice Cream Co. to sell ice cream at various locations.
3. Peddlers Permit: Ron Miller d.b.a. Starburst Novelty Co. to sell sparklers at 2741 14th Street West.
4. Peddlers Permit: Ron Miller d.b.a. Starburst Novelty Co. to sell sparklers at various locations.
5. Peddlers Permit: Ron Miller d.b.a. Starburst Novelty Co. to sell sparklers at 60th Street East and 53rd Avenue East.

BUDGET AMENDMENTS

Upon motion by Mr. Chetlain, seconded by Mrs. Glass, Resolutions were unanimously adopted, amending the 1986-87 Budget to provide for the receipt and appropriation of unanticipated revenues and item to item transfers:

SUPERVISOR OF ELECTIONS (B-86-144)

From: Election Services/Equipment
To: Supervisor of Elections

\$ 12,400
RECORD RESOLUTION S35-418

TRANSIT (B-86-145)

From: Reserve for Contingency
To: UMTA Sec. 9 FY 85 Capital Grant

\$ 46,700
RECORD RESOLUTION S35-419

TRANSIT (B-86-146)

Increase Revenue
UMTA Sec. 9 FY 85 Capital Grant; State
Capital Grant
Increase Expenditures
UMTA Sec. 9 FY 85 Capital Grant

\$420,300
RECORD RESOLUTION S35-420

CLERK'S CONSENT CALENDAR

Upon motion by Mrs. Hooper, seconded by Mr. Chetlain, the Clerk's Consent Calendar dated June 3, 1986 was unanimously approved:

BONDS:

Sunset Estates Subdivision

Accept:

Revised Performance Bond (L/C #186, Citizens & Southern Bank of Manatee County) & Improvements Agreement \$13,825.00
(Manatee Builders Development Corp)

Release:

Performance Bond (L/C #160, Palmetto Bank & Trust) for improvements. 25,650.00

BILLS FOR PAYMENT:

Des Champs & Gregory - Public Official Bond (Glass) 50.00
Danis/Shook of Florida - SE Subreg. Wastewater Facility, Pmt No. 1 400,950.00
Camp Dresser & McKee - Extra Work Auth. #2, SE Subreg. Wastewater Facility 686.18
" " " " - Suppl. Work Auth. #4, SE Subreg. Wastewater Facility 24,329.51
Larson Eng - N. Subreg. WW Fac, Ph I, Seg B, Part C 6,039.79
" " - N. Subreg. WW Fac, Ph I, Seg A, Part D 624.74
CH2M Hill - Task Ord. #5, Exploratory Well Design 1,375.14

Refunds:

Herb Katzman - Child Safety Seat Deposit 10.00
Myron Bouch - Child Safety Seat Deposit 9.50
Manatee Fruit Co. - Landfill License Appl. (duplicate) 100.00
James Jarrett - Building, Plumbing, Elec. Permits 38.73
David Elliott - Building Permit 85.05
Lori Bub - Peddler's Permit 250.00
Francis Lasee - Mobilehome Installation Permit 9.80
James Amaro - EMS Ambulance Service 61.38
Helen Waters - EMS Ambulance Service 63.36
Abner Golden - EMS Ambulance Service 10.00
Sidney Weiss - EMS Ambulance Service 56.00
Joseph Mason - EMS Ambulance Service 4.42
David Davis - EMS Ambulance Service 6.00
Clarence Crispell - EMS Ambulance Service 80.00

JUNE 3, 1986

(Cont'd)

WARRANT LIST -

Approve: May 27, 1986 to June 2, 1986

Authorize: June 3, 1986 to June 9, 1986

AUTHORIZE CHAIRMAN TO SIGN:

Contract: Danis/Shook - for Southeast Subregional Wastewater Treatment Facility Pump Stations & Force Mains, Phase I, Segment B, Part 2 (Bid No. 86-18, subsequent execution authorized 4/1/86); construction payment/performance bonds (2) (Federal Insurance Co., Seaboard Surety Co., \$1,637,900 each) incorporated as part of contract).

RECORD: CONTRACT FILE 3285

Partial Release of Special Improvement Assessment Lien:

Ethel & Ira Herschberger, Sr - Project 9052

Tonya M. Morley - Project 676

APPROVE, RATIFY & CONFIRM

Parks & Recreation Special Interest Classes Instructor's Agreements:

1) Ralph Matthews - Racquetball

2) Jeff Jaudon - Tennis

RECORD: CONTRACT FILES 3286

3287

R-86-123 Resolution Supporting Senate Bill 1022, Encouraging Its Enactment Into Law by Florida Legislature (authorized/dated 5/20/86)

RECORD RESOLUTION S35-421

BIKEPATHS

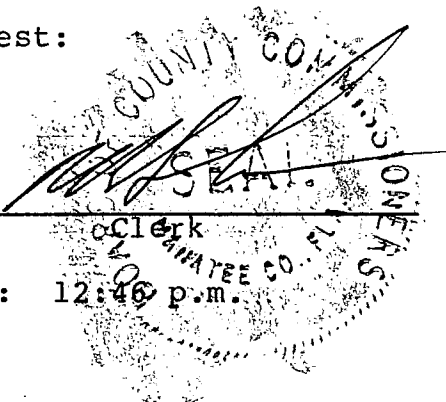
Upon motion by Mrs. Glass, seconded by Mrs. Hooper and carrying unanimously, petitions requesting rerouting of proposed bike paths on 55th Street West and 1st Avenue West were entered into the record.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:

 Clerk
Adj: 12:46 p.m.


Chairman 7-17-86