

JUNE 17, 1986

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, June 17, 1986 at 9:04 a.m.

Present were Commissioners:

Westwood H. Fletcher, Jr., Chairman
Edward W. Chance, 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 Kenneth Bright, Palmetto Assembly of God.

The meeting was called to order by Chairman Fletcher.

All witnesses/staff giving testimony were duly sworn.

AWARDS

Meritorious Service

R. B. "Chips" Shore, Clerk of Circuit Court, was presented a Meritorious Service Award in recognition of his election to the Executive Board of the Governmental Finance Officers Association.

Employee of the Month

Samuel L. Love, Budget Analyst, Office of Management and Budget, was presented a Certificate of Merit in recognition of his being selected Employee of the Month.

Certificate (Retirement)

A certificate was presented to Theodore Buraczynski, Public Works Department, Utilities Division, retiring after 11-plus years of service to Manatee County.

Certificate of Merit (Suggestion Award)

A Certificate of Merit and a Suggestion Award in the amount of \$200.00 was presented to Richard Kall, Office of Central Services, Facilities Management Division, for suggesting installation of thermostat locking boxes on all County thermostats.

Certificate of Merit (Suggestion Award)

A Certificate of Merit and a Suggestion Award in the amount of \$25.00 was presented to Jon R. Baker, Public Works Department, Utilities Division, for suggesting a change in the Employee Performance Evaluation procedure.

AIRPORT RELOCATION - REFERENDUM

H. Hamilton Rice, Jr., County Attorney, referred to his memorandum of May 9, 1986, submitting options for language in a referendum question, relating to expansion of the Sarasota-Bradenton Airport, to be placed on the November 4, 1986 General Election ballot. He recommended the Board determine if the question should be placed on the ballot and the form of question to be submitted.

It was suggested that the Board also give consideration to a resolution adopted by the Sarasota-Manatee Airport Authority regarding placement of the following question on a bi-county ballot:

"Do you approve the acquisition by the Sarasota-Manatee Airport Authority of lands or interests in lands east of Interstate 75 for use by major certified air carriers?"

Alan Prather, Attorney representing the Supervisor of Elections, stated his office is researching the issue of whether the Airport Authority has the power to place a question on the ballot and if the question meets the parameters of that Authority.

JUNE 17, 1986

(Cont'd)

Al McDill, Sarasota-Bradenton Airport Manager, responded to questions from the Board.

In response to inquiry on the type of question the Authority can place on the ballot, Phil Partridge, Attorney, read portions of the Enabling Act as to the powers of the Authority regarding acquisition of lands for general aviation purposes. He pointed out that the acquisition of such land must be approved in a referendum in each county.

Recess/Reconvene. All members present.

Motion was made by Mrs. Hooper, and seconded by Mr. Chetlain, to accept into record a letter from Mary Ellen Kirby, 7936 Westmoreland, opposing relocation of the airport. Motion carried unanimously.

-Discussion/recommendations: Letters be sent to the Sarasota-Manatee Airport Authority, Supervisor of Elections, and Sarasota Board of County Commissioners recommending style of the proposed question; place on the Manatee County General Election ballot as outlined in Option #1 in memorandum from the County Attorney, with noted changes, and to include flight patterns.

Philip Parsons, retained counsel, stated he had no concerns regarding the recommendations.

-Mrs. Glass moved to send a letter to the Sarasota-Manatee Airport Authority and the Supervisor of Elections stating that the Board would like the referendum question to read:

Part 1: "Do you approve the acquisition by the Sarasota-Manatee Airport Authority of lands or interest in lands east of Interstate 75 in Sarasota County for use by major certified carriers?"

Part 2: "Do you approve the acquisition by the Sarasota-Manatee Airport Authority of lands or interest in lands east of Interstate 75 in Manatee County for use by major certified carriers?"

Motion was seconded by Mrs. Hooper and carried unanimously.

The Chairman announced a work session would be held at 6:30 p.m., July 9, 1986, at the Manatee County Civic Center to discuss the question.

ORDINANCE 86-11 - PARKING

Public hearing (continued from June 10, 1986) was held for the purpose of considering

ORDINANCE NO. 86-11: AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 84-04; AS AMENDED BY ORDINANCES 84-15 AND 84-24, TO PROHIBIT THE STOPPING, STANDING OR PARKING OF MOTOR VEHICLES ON 24TH AVENUE DRIVE WEST (BOOTS POINT ROAD) FROM MIGUEL LOOP ROAD NORTH TO DEAD END; AND GEORGIA AVENUE FROM BAYSHORE GARDENS PARKWAY NORTH TO DEAD END, COUNTY MAINTAINED STREETS LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

Ron Rabun, County Administrator, recommended that reference to 24th Avenue Drive West (Boots Point Road) be deleted from the proposed ordinance per request by citizens.

(Depart Mr. Fletcher; Mr. Chance presiding)

Motion was made by Mr. Chetlain to adopt Ordinance 86-11, amending Manatee County Ordinance 84-04; as amended by Ordinances 84-15 and 84-24, to prohibit the stopping, standing or parking of motor vehicles on Georgia Avenue (deleting reference to Boots Point Road/24th Avenue Drive West). Motion was seconded by Mrs. Glass and carried unanimously.

RECORD ORDINANCE

S35-432

SPECIAL ASSESSMENT PROJECT: BRADEN RIVER RANCHETTES S/D

Public hearing (Notice in The Bradenton Herald June 3, 1986) was opened to consider petition for

Project No. 5071 -

28th Avenue East from 69th Street East to 73rd Street East.
32nd Avenue East from 69th Street East to 73rd Street East.
34th Avenue East from 67th Street Court East to 69th Street East.
36th Avenue East from 67th Street Court East east to dead end.
Braden Drive from Lena Road east to dead end.
67th Street Court East from 34th Avenue East south to Braden Drive.
69th Street East from 28th Avenue East to 32nd Avenue East.
73rd Street East from 28th Avenue East to 32nd Avenue East.

Tom Fenton, Transportation Division, gave a staff report on the proposed project and recommended approval to correspond with Feasibility Report #1 (22-foot wide roadway).

Petition in favor of the project was submitted from residents of Braden River Ranchettes. Speaking in favor were: James Mann, Fred Johnson, Janet Boyd, Ernie Withers, Bill Close, 36th Avenue East; Sharon Eddy, 28th Avenue East; Jim Frazier, 32nd Avenue East. Norman Rudder, 67th Street Court East, spoke in opposition.

Motion was made by Mrs. Hooper, seconded by Mr. Chetlain, to adopt

R-86-124 A RESOLUTION APPROVING SPECIAL ASSESSMENT PROJECT NO. 5071, BRADEN RIVER RANCHETTES

with improvements to correspond with Feasibility Report #1, and authorizing execution of an agreement with the Property Appraiser and the Tax Collector. Motion carried unanimously.

RECORD RESOLUTION 835-433
 RECORD: CONTRACT FILE 3298

(Enter Mr. Fletcher)

ZONING: PLOUGH PROPERTY

Betsy Johnson complained of construction activities on Lot 152 in Westwego Subdivision owned by Richard Plough. She alleged that the property had been improperly split, constituting a non-conforming lot. She requested action be taken to halt the construction and submitted memoranda pertinent to the issue.

Mr. Rice, who stated he had met with Mrs. Johnson to discuss the issue, submitted his memorandum of June 9, 1986 addressing various questions/answers resulting from that meeting. He stated the matter is pending before the Board of Zoning Appeals and recommended it be allowed to proceed in that forum.

Upon question, Mr. Rabun advised that the matter before the Board of Zoning Appeals pertains to the existing house on Lot 152 and not the house under construction.

Following discussion, the Chairman announced that the matter would be placed on the agenda for Tuesday, June 24, 1986.

ZONING: RAMCO RECYCLING SYSTEMS

No action was taken on request by Joe Ramsey, Ramco Recycling Systems, for reconsideration of Special Permit SP-86-55, approved by the Board June 12, 1986, with certain stipulations.

RECESS/RECONVENE

The Chairman declared the meeting recessed until 1:45 p.m.

The Board reconvened at 1:51 p.m. with all members present.

SPECIAL ASSESSMENT PROJECT: OLSEN/BRACKS SPRINGS/ONWEGO PARK S/D

Public hearing (Notice in The Bradenton Herald June 3, 1986) was opened to consider petition for

Project No. 5066:

50th Street Court NW from 1st Avenue West north to dead end.
31st Avenue West from 50th Street Court West east to existing pavement.

Tom Fenton, gave a staff report on the proposed project and recommended approval to correspond with Feasibility Report #1 (with all necessary drainage and road preparation).

JUNE 17, 1986

(Cont'd)

Mr. Chance relayed message from Susan Velis, (Olsen Subdivision), that she was in favor of the project.

Motion was made by Mr. Chetlain, and seconded by Mrs. Glass, to adopt

**R-86-125 RESOLUTION APPROVING SPECIAL ASSESSMENT PROJECT
NO. 5066, BRACKS SPRINGS, OLSEN, ONWEGO PARK SUBDIVISIONS**

which corresponds to Feasibility Report #1, and authorizes execution of an agreement with the Property Appraiser and the Tax Collector. Motion carried unanimously.

RECORD RESOLUTION
RECORD: CONTRACT FILE

S35-434
3299

STREET VACATION: LAKE FOREST ESTATES

Public hearing (Notice in The Bradenton Herald May 30, 1986) was opened to consider

**R-86-41-V APPLICATION BY DONALD F. AND LYNDIA F. MOLLOY
TO VACATE A PORTION OF A DRAINAGE/UTILITY EASEMENT ON
LOT 3 OF LAKE FOREST ESTATES (PLAT BOOK 19 PAGES 8-9)**

Donald F. Molloy, property owner, requested approval.

Public hearing was closed.

Upon motion by Mr. Chetlain, seconded by Mrs. Hooper, a Resolution was unanimously adopted vacating the easement as requested.

RECORD RESOLUTION

S35-435

ORDINANCE 86-17, NO PARKING

Public hearing (Notice in The Bradenton Herald May 27, 1986) was opened for the purpose of considering

ORDINANCE NO. 86-17 AN ORDINANCE OF MANATEE COUNTY, FLORIDA AMENDING MANATEE COUNTY ORDINANCE 84-04; AS AMENDED BY ORDINANCES 84-15 AND 84-24, TO PROHIBIT THE STOPPING, STANDING OR PARKING OF MOTOR VEHICLES THROUGHOUT ALL OF SHADOW BROOK MOBILE HOME PARK ON 68TH STREET COURT EAST; 68TH STREET EAST; 67TH STREET EAST; 66TH STREET EAST; 64TH STREET EAST; 63RD STREET EAST; SHADOW BROOK LANE; 36TH AVENUE DRIVE EAST; 37TH AVENUE EAST; 38TH AVENUE EAST; 39TH AVENUE EAST; 40TH AVENUE EAST; 41ST AVENUE EAST; 43RD AVENUE EAST; AND 44TH AVENUE EAST; COUNTY MAINTAINED STREETS LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

Public hearing was closed.

Motion was made by Mr. Chetlain, seconded by Mrs. Glass and carried unanimously, to adopt Ordinance No. 86-17.

RECORD ORDINANCE

S35-436

ORDINANCE 86-16: UNSAFE STRUCTURES

Public hearing (Notice in The Bradenton Herald May 29, 1986) was opened for the purpose of considering

ORDINANCE 86-16 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, TO PROVIDE FOR A DEFINITION OF UNSAFE STRUCTURES; TO PROVIDE FOR THE REPAIRING AND REHABILITATION OF UNSAFE STRUCTURES; TO PROVIDE FOR THE SECURING OF VACANT BUILDINGS; TO PROVIDE FOR THE DEMOLITION OF UNSAFE STRUCTURES OR BUILDING UPON PROPER NOTICE TO THE OWNER AND OTHER INTERESTED PARTIES; TO PROVIDE FOR EMERGENCY REPAIRS OF UNSAFE STRUCTURES IN THE EVENT THERE IS AN ACTUAL OR IMMEDIATE DANGER OF FAILURE OR COLLAPSE OF SUCH STRUCTURE OR A PORTION THEREOF; TO PROVIDE FOR APPEALS TO THE CONSTRUCTION CODE BOARD OF APPEALS AND THE BOARD OF COUNTY COMMISSIONERS; TO PROVIDE FOR THE ASSESSING OF COSTS OF DEMOLITION, REPAIR OR REMOVAL OF UNSAFE STRUCTURES; TO PROVIDE CONFIRMATION OF PRIOR ACTIONS; TO PROVIDE PENALTY FOR FAILURE TO COMPLY WITH ORDERS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR POSSIBLE CONFLICTS WITH OTHER COUNTY ORDINANCES AND TO PROVIDE AND EFFECTIVE DATE.

Public hearing was closed.

Motion was made by Mrs. Glass, seconded by Mr. Chance and carried unanimously, to adopt Ordinance 86-16.

RECORD ORDINANCE

S35-437

RYE WILDERNESS CAMPGROUND

Michael F. Pascuzzi, Director, Parks & Recreation Department, reported (memorandum 6/9/86) the Department of Natural Resources had approved the Rye Wilderness Campground project for financial assistance under the Land and Water Conservation fund (LWCF). He submitted

R-86-139 A RESOLUTION AUTHORIZING ACCEPTANCE OF FINANCIAL ASSISTANCE TO MANATEE COUNTY UNDER THE LAND AND WATER CONSERVATION FUND (LWCF) PROGRAM TO AID IN THE DEVELOPMENT OF THE RYE WILDERNESS CAMPGROUND EAST OF THE RYE BRIDGE, MANATEE COUNTY FLORIDA.
(total project cost estimated at \$300,000 - \$150,000 from LWCF and match of \$150,000 of cash and in-kind service from Manatee County).

Motion was made by Mrs. Hooper to accept into record a letter from Mary E. Sheppard supporting acquisition of land on the Manatee River for development. Motion was made by Mrs. Glass and carried unanimously.

The County Attorney, recommended deleting the words "and authorizes said agent to execute the State-County agreement" as stated in the fourth "Whereas" of the resolution.

Motion was made by Mr. Chetlain to adopt Resolution R-86-139 with the deletion as noted. Motion was seconded by Mrs. Glass and carried unanimously.

RECORD RESOLUTION

S35-438

AGRICULTURE CENTER

Motion was made by Mrs. Glass, seconded by Mr. Chetlain and carried unanimously, to adopt

R-86-140 RESOLUTION ESTABLISHING POLICIES, REGULATIONS AND A CHARGE SCHEDULE FOR USE OF GROUNDS AND FACILITIES AT THE AGRICULTURE CENTER.

RECORD RESOLUTION

S35-439

LINCOLN MIDDLE SCHOOL AREA (ENTERPRISE ZONE)

Ken Rogers, Director, Office of AA/EEO, submitted a progress report on the Memphis area (Lincoln Middle School) projects and an outline of tasks to be accomplished in order to

- (1) Apply for state Enterprise Zone approval for a portion of the Memphis area;
- (2) Place the inchoate Community Development Corporation (CDC) in the best possible competitive position for obtaining state administrative grants and loans;
- (3) Initiate and complete projects for lasting area improvements.

He submitted a proposed Resolution designating an Enterprise Zone in the County, stating the purpose of that designation and adopting a program of local participation to be conducted in that zone. He requested conceptual approval of the Enterprise Zone and proposed program of local participation.

A. E. Hambacher, Chief of Police, Palmetto, reported that a possible site has been located at 1707 2nd Avenue East for a proposed Storefront Operation and a firm recommendation would be forthcoming.

Marion Stevens, President of the Lincoln Action Committee, expressed appreciation for the Board's assistance with the project.

Mark Barnebey, Assistant County Attorney, stated a draft of an occupational license fee ordinance had been prepared and would be submitted for consideration the following week. He pointed out partial exemption from occupational license fees could provide for high priority in obtaining Enterprise Zone designation and in the CDC grant allocations.

Mr. Rogers reviewed criteria necessary to obtain enterprise zoning and displayed a map illustrating the proposed enterprise area.

JUNE 17, 1986

(Cont'd)

Mr. Chance moved for conceptual approval. Motion was seconded by Mrs. Glass and carried unanimously.

GUN & ARCHERY CLUB - APPRAISAL

Henry Kingsbury, Public Works/Utilities, requested authorization to utilize Zoller, Najjar & Shroyer to develop a feasibility study, working with the National Rifle Association (NRA), on preliminary designs and cost estimates for safe gun and archery ranges at two locations (1) Lena Road site; (2) Estech (140 acre) site. (Cost of study not to exceed \$20,000).

Motion by Mr. Chance to authorize utilization of Zoller, Najjar & Shroyer to develop the requested feasibility study died for lack of a second.

Tedd Williams, Assistant County Attorney, advised that if the Board should decide to condemn the Lena Road site an appraisal could be obtained of the lease-hold interest held by the Gun Club. (Approximate cost of appraisal \$1,500-\$1,800).

Discussion: Expense of relocating the Gun Club; need for determining the value of lease-hold interest; using the appraisal as basis for settlement, purchase or eminent domain proceedings; etc.

Upon recommendation by Chairman that staff be directed to obtain the necessary appraisal of the Lena Road site to determine the lease-hold interest of the Gun & Archery Club at an expenditure not to exceed \$2,000, Mr. Chetlain so moved. Motion was seconded by Mrs. Hooper. Voting "Aye" were Mr. Chetlain, Mrs. Hooper, Mrs. Glass and Mr. Fletcher. Voting "Nay" was Mr. Chance. Motion carried.

COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mrs. Hooper, seconded by Mr. Chetlain, the County Administrator's Consent Agenda was unanimously approved, with the provision that the Chairman be permitted to make editorial changes to the letter to affected residents regarding Grid System/Address Changes. Items APPROVED included:

DEEDS/EASEMENTS

1. 17th Avenue Northwest - Quit Claim Deed from James J. Palawski for right-of-way; Partial Release from United First Federal Savings & Loan Association.
2. Tamiami Shores, Parcel 2 - Drainage Easement from O. Dale & Irene E. Pangman (a/k/a Oscar and Irene Pangman).
3. Washington Park Borrow Pit - Warranty Deed from J. L. Cone, Jr. formerly d/b/a/ American Concrete Crosstie Corporation.
4. Southeast Lift Station - Utility Easement from Linnie V. Walton; payment of amount of appraisal, \$2,150 as compensation.
5. Ellenton Assessment Area - Utility Easement from Dean L. & Judith L. Shultis; payment of \$750 as compensation.

9TH STREET EAST

Execution of Contract for purchase of right-of-way from Nida E. Gregory, (Project #3011), \$3,400.

RECORD: CONTRACT FILE

3300

NO THROUGH TRAFFIC

Public hearing to consider Ordinance 86-24, amending Ordinance 84-06, regulating traffic on Oak Run Drive, 49th Avenue West, 7th Avenue Drive West & 39th Street West.

NO PARKING

Public hearing on Ordinance 86-22, amending Ordinances 84-15 and 84-24, to prohibit parking on 35th Street West.

SPEED LIMITS

Advertise Public hearing on Ordinance 86-23, amending Ordinance 84-05, to prohibit the travel of vehicles at speeds in excess of the established limit on Oak Run Drive, Woodlawn Circle, Woodlawn Circle East, Lake Drive, Oak Drive & Leon Drive.

AFFIDAVIT FOR ACCESS

Greg Jones, 4507 4th Avenue Drive Northwest, Barton Park.

PERSONNEL/MANNING LEVELS

Adoption of Resolutions establishing manning level changes:

PLANNING & DEVELOPMENT (R-86-135)
 Add: 1 Clerk/Cashier; 1 Office Assistant II; 2
 Licensing/Permitting Tech; 3 Inspections Officer I;
 1 Plans Examiner I; 2 Senior Inspections Officer; 2
 Office Assistant III; 1 Office Assistant IV; 4 Planner
 II; 1 Principal Planner; 1 Land Development
 Code Inspector; 1 Land Development Code Specialist I; 1
 Land Development Code Specialist II
 Change in Manning Level: From 61 to 82

RECORD RESOLUTION S35-440

COURT ADMINISTRATION (R-86-136)
 Add: 1 Administrative Assistant
 Change in Manning Level: From 5 to 6

RECORD RESOLUTION S35-441

GRID SYSTEM/ADDRESS CHANGES

Chairman to send letter to affected residents advising of imple-
 mentation of Ordinance 85-28 (Grid System/address changes, etc).

UTILITIES

1. **Granular Activated Carbon** - Award Bid to Husky Industries, on as required unit price basis, effective 10/22/85.
2. **Administration Building Addition** - Rescind Board action of 2/25/86 on award of bid to Remco Construction; return \$5,000 bid security (certified check).
3. **Water/Sewer System Supplies/Materials** - Award Bid No. 86-72, on as required unit price basis, to: Davis Meter & Supply; Southeastern Municipal Supply; Banks Supply; Hughes Supply/Sarasota; B & H Sales; Goodyear Rubber; Save-On Utility Supply; Juno Industries, Inc.; Jasko Services; Bert Lowe Supply; Sunstate Meter Supply; American Cast Iron Pipe Company.
4. **Roof Decking** - Award Bid to Universal Building Specialties, not to exceed \$12,508; authorization to issue notice to proceed after receipt of insurance certificates.

LIBRARY SYSTEM

Execution of agreement with State Division of Library Services, for grant funding for Interlibrary Cooperation, 10/1/85-9/30/86.

RECORD: CONTRACT FILE S3301

SHERIFF: SERVICE OF PROCESS REIMBURSEMENT

- a. Execution of agreement (revised) with State of Florida, Department of Health & Rehabilitative Services for reimbursement, 7/1/86-6/30/87.

RECORD: CONTRACT FILE S3302

- b. Execution of First Amendment to Contract No. FE 508 with State of Florida, Department of Health and Rehabilitative Services for reimbursement, 7/1/85-6/30/86.

RECORD: CONTRACT FILE S3303

(End Consent Agenda)

BUDGET AMENDMENTS

Upon motion by Mrs. Hooper, seconded by Mr. Chance, resolutions were unanimously adopted amending the 1985-86 budget to provide for the receipt and appropriation of unanticipated revenues and for item to item transfers:

CIVIC CENTER AUTHORITY (B-86-150)
 From: Civic Center Administration -
 Temporary Employees; Equipment/Bulding Maintenance;
 Telephone; Postage; Gas, Oil and Tires
 To: Civic Center Administration -
 Overtime; Operating; Travel;
 Printing; Professional Services;
 Dues & Subscriptions

\$ 25,500
RECORD RESOLUTION S35-442

LIBRARY (B-86-151)
Increase Revenue:
 Library Fund/Insurance Proceeds
Increase Expenditures:
 Library Operating/Equipment

\$ 1,463
RECORD RESOLUTION S35-443

JUNE 17, 1986

(Cont'd)

Increase Revenue: (B-86-152)
Library Gift - Contributed Capital Revenue
Increase Expenditures:
Library Gift - Books; Rents and Leases; Equipment \$ 14,821
RECORD RESOLUTION S35-444

COURTS (B-86-153)
Increase Revenue:
General Fund
Increase Expenditures:
Law Enforcement Criminal Trust Dept.; Courts \$ 38,500
RECORD RESOLUTION S35-445

GENERAL COUNTY (B-86-154)
From: Reserves Varous Funds: Transit; Golf Course/Clubhouse;
 Central Stores
To: County Commissioners; County Administrator;
 Office of Management & Budget; Court Reporter
 (County); Data Information; Maintenance; Small
 Engine Maintenance; Energy Management; Courier;
 Building Maintenance; Fleet Services;
 Information Center; Personnel; Affirmative
 Action/EEO; Probation; Work Release;
 Emergency Medical Service;
 Emergency Communications; Agriculture; Soil
 Conservation; Benefits Coordinator; Human
 Services; Veterans Services; County Liaison;
 Engineering & Administration; Road Maintenance;
 Drainage; Aquatic Weed; Library;
 Talking Books; Tourist Development; Planning;
 Utilities; Accounts Receivable; Customer Service;
 Planning and Environmental; Treatment and Purification;
 Meter Section; Distribution; Laboratory;
 Maintenance and F/F; Transt; Para-Transit;
 Golf Course Maintenance; Golf Carts; Club House;
 Snack Bar; Landfill Operations;
 Myakka Transfer; Central Stores \$946,530
RECORD RESOLUTION S35-446

PUBLIC WORKS/UTILITIES (B-86-155)
From: MCPUD Construction Trust Fund
To: EPA II S.W. PS/FM; EPA II S.E. PS/FM;
 EPA II N.C. PS/FM; EPA III S.W. Collection
 System; EPA III S.E. Collection System;
 EPA III N.C. Collection System \$1,095,584
RECORD RESOLUTION S35-447

GUN PERMIT (GRAHAM)

Upon motion by Mrs. Glass, seconded by Mrs. Hooper, Resolution R-86-134 was adopted authorizing the issuance of a permit (renewal) to carry a concealed weapon:

William T. Graham, 1036 St. Andrews Dr., Sarasota, Fl 34243
 Lawyers Surety Corporation (Surety, \$100.00)
 S&W Model 36. - .38 Cal. #J400937 (.38 Spl.)

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

RECORD RESOLUTION S35-448

LAWSUIT: VITALE & HORN v. MANATEE COUNTY

The County Attorney reported a settlement offer has been received in the case of Vitale and Horn Vs. Manatee County, Case No. CA-84-1185 regarding enactment of County-initiated rezone from R-2 (density 8.2 u/a) to R-1AB (density 5.3 u/a). The downzone occurred after the Circuit Court ordered the County Commission to approve a certain preliminary plat and before the plat was brought back to the Board for action.

Settlement negotiations include: The Board will hear an application to rezone the subject property to a classification less restrictive than R-1AB and compatible with the surrounding zoning classifications; the plaintiff has estimated damages approaching \$44,000; etc. He recommended entering into a stipulation for settlement and adopting

R-86-133 RESOLUTION INITIATING REZONE OF CERTAIN
 PROPERTY LOCATED IN MANATEE COUNTY, FLORIDA.

Alan Prather, Attorney representing Vitale & Horn, stated his clients were proposing that the property be rezoned to either R-2 (2-family duplex) or R-1T (Single-Family Townhouse District). In addition, the County would pay the actual attorney's fees to date involved only in the present litigation which amounts to \$2,040.00.

Discussion: Allowing higher density in the area with submission of Planned Development Residential (PDR), rezoning to R-3A or R-3B, etc.

Mrs. Glass moved that the Attorney be authorized to settle in the matter of Vitale and Horn vs. Manatee County with a stipulation to less restrictive zoning and adopt Resolution R-86-133 authorizing initiation of Zoning Atlas amendment and notice of public hearing. Motion was seconded by Mr. Chetlain and carried unanimously.

RECORD RESOLUTION

S35-449

ORDINANCE 86-13/AMENDMENT: COMMERCIAL VENDING & PEDDLING

The County Attorney requested (memorandum 6/10/86) authorization to publish an amendment to Ordinance 86-13 regulating Commercial Vendors & Peddlers to consider one of the following:

- a. Waiver of application fees and correction of scrivener's errors; or
- b. Omission of noise restrictions and correction of scrivener's errors; or
- c. Waiver of application fee, omission of noise restrictions and correction of scrivener's errors; or
- d. Take no action.

Questions had been raised regarding the applicability of the application fee to newspapers; restricting transmission of sound from ice cream vending operations; applicability of waiving fees in certain instances; etc.

Mr. Fletcher stated the proper motion would be to authorize public hearing date for adoption of amendment to Ordinance 86-13 utilizing Option "C" as outlined in memorandum dated June 10, 1986 from the County Attorney. Mr. Chetlain so moved. Motion was seconded by Mrs. Hooper. Voting "Aye" were Mr. Chetlain, Mrs. Hooper Mr. Fletcher and Mr. Chance. Voting "No" was Mrs. Glass. Motion carried.

ZONING: SP-86-14 BLALOCK & DESEAR

Mr. Rice advised that SP-86-14, granting a Special Permit to Blalock and DeSear, was approved on January 23, 1986 and amended May 8, 1986 in response to State Department of Transportation right-of-way changes. He stated that the breadth of Stipulation No. 8 should have addressed the sighting of a bald eagle on or near the site. Since Stipulation No. 8 does not reflect the limitation specific to bald eagles, his office was of the opinion that the stipulation as adopted is a technical scrivener's error which may be cured by the adoption of SP-86-14 (Second Amended).

Motion was made by Mr. Chance, seconded by Mrs. Hooper and carried unanimously, to approve SP-86-14 (Second Amended) correcting technical scrivener's error in SP-86-14 and SP-86-14 (Amended).

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Chance, seconded by Mrs. Hooper, the Clerk's Consent Calendar dated June 17, 1986 was unanimously approved:

BILLS FOR PAYMENT:

Balance before Payment:	\$492,864.77
Balance after Payment:	370,048.28
Carlton, Fields, et al - Legal Svs re Beker	\$34,482.54
" " " " - Legal Svs re Cortez Marina	51,987.25
" " " " - Legal Svs re Manatee Mem Hosp	838.62
Batson, Jones, Bennett & Co. - Legal Svs re Dual Taxation	700.00
Landers, Parsons & Ehlfelder - Legal Svs re Airport DRI	6,878.42
Betty Lauria, Court Reporter - Appearance re Beker (through Carlton Fields)	242.10
Hogg, Allen, Ryce, et al - Legal Svs through 4/25/86	4,567.44
Burke, Bosselman, et al - Legal Svs re Impact Fees	179.00
" " " " " " " " " " " "	2,003.97
Nabors, Giblin, et al - Dual Taxation	11,199.36
" " " " - Road & Bridge Tax	8,158.32
" " " " - Legal Svs through 4/30/86	1,579.47

JUNE 17, 1986

(Cont'd)

Goldstein & Tanen, PA - Manatee County v Manasota	112.84
Chris M. Pratt, Esq - Circuit Court Costs	1,127.37
Camp Dresser & McKee - Work Assignment 86-2, Revision to Water/Sewer Rate Structure	6,032.13
" " " " - Monthly Eng Svs 3/30/86-4/26/86	4,872.92
" " " " - Annual Report	2,373.50
" " " " - Suppl. Agmt No 1, Phase II, Solid Waste Management Plan	822.61
" " " " - Phase I, Segment A, Pump Station & Force Main, Southeast Sub- regional Wastewater Facility	585.57
" " " " - Extra Work Auth #2, SE Subregional Wastewater Treatment Facility	20,537.72
" " " " - Suppl Work Auth #4, SE Sub- regional Wastewater Facility	5,062.00
" " " " - Eng Svs, SE Subregional Waste- water Treatment Facility	48,101.24
Larson Eng - North Subregional Wastewater Facilities, Phase I, Segment A, Part D	1,572.23
" " - N. County McClure Ranch Effluent Disposal	65,135.93
" " - N. County Rocky Bluff Collection System	37,471.20
" " - N. County Phase I, Segment B, Part D	48,863.94
Cardinal Contractors - Chlorine Contact Tank	76,705.47
Danis/Shook - SE Subreg Wastewater Treatment Facility	296,877.60
Refunds:	
Mary Dieball - Child Safety Seat Deposit	10.00
Mary Galvin - Child Safety Seat Deposit	10.00
Mrs. Marion Duncan - Animal Cage	20.00

WARRANT LIST

Approve: June 10, 1986 to June 16, 1986
 Authorize: June 17, 1986 to June 23, 1986

MINUTES FOR APPROVAL

May 6 & 8, 1986

AUTHORIZE CHAIRMAN TO SIGN:

- (1) Contract
G. A. Food Service for Summer Food Program (authorized 6/10/86).
 RECORD: CONTRACT FILE

3303

- (2) Partial Release of Special Improvement Assessment Liens:
1. Stephen M. & Darla Merillat, Proj. 9052, Account 25
 2. Donald & Susan Blaker, Proj. 667,
 3. Jacob R. & Larlie M. Johann, Proj. 9052,
 4. E. Duane & Betty A. Ganty, Proj. 9052,
 5. Robert F. & Janice L. Coate, Proj. 9052,
 6. Shelby & Betty Frye, Proj. 9052,
 7. James Richardson, Proj. 667,
 8. Earl L. & Alaine S. Chevalier, Proj. 667,
 9. Earl L. & Alaine S. Chevalier, Proj. 667,
 10. Edwin H. & May F. Wyman, Proj. 667,
 11. John T. & Joan R. Browning, Proj. 676,
 12. Patricia Kumbacher & Eva Coffin, Proj. 667.

ACCEPT FOR THE RECORD:

1. Auditor Selection Committee Minutes - 4/14/86, 5/22/86, 6/6/86
2. Proposals for Auditing Services from:
 Arthur Young-May Zima & Co.; Touche Ross; Coopers & Lybrand;
 Deloitte Haskins & Sells; Valdes, McLain, Pratt & Co.; Grant
 Thornton; Cherry Bekaert & Holland; Peat Marwick.

TRAVEL AUTHORIZATION

Upon motion by Mrs. Glass, seconded by Mr. Fletcher, request by Mr. Chetlain for authority to travel was unanimously approved to Boulder, Colorado, July 12-18, 1986.

DRAWBRIDGES - BOAT TRAFFIC

Discussion was held in regard to restricting boat traffic under drawbridges in order to expedite vehicular traffic, specifically on Manatee Avenue. It was noted that the Board had requested information from the Coast Guard in May 1986 regarding the possibility of controlled bridge-lifting.

JUNE 17, 1986

(Cont'd)

Motion was made by Mr. Chetlain to authorize the Chairman to write a letter to the Coast Guard requesting the status of the County's previous request for controlled bridge-lifting on State Road 64 to Anna Maria Island. Motion was seconded by Mr. Chance and carried unanimously.

STARBURST NOVELTY v. FIRE DISTRICTS

The County Attorney reported that a lawsuit has been filed by Starburst Novelty against the fire districts with respect to the Manatee County Fireworks Control Ordinance. He requested authority to intervene in that action to defend the ordinance if it is determined to be in the best interest of the County.

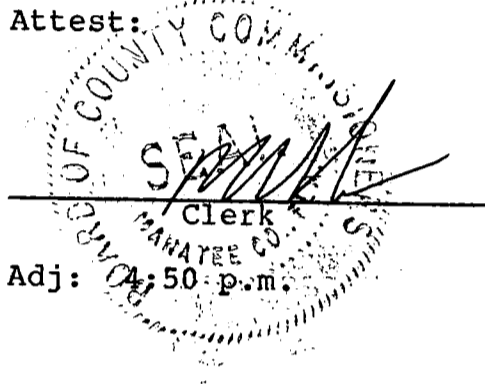
Motion was made by Mrs. Glass, seconded by Mr. Chance and carried unanimously, to authorize the County Attorney to intervene in this matter if necessary.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:


Clerk
Adj: 8:50 p.m.


Chairman