

AUGUST 12, 1986

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, August 12, 1986, at 9:09 a.m.

Present were Commissioners:  
Westwood H. Fletcher, Jr., Chairman  
Kent G. Chetlain  
Patricia M. Glass

Maxine M. Hooper entered during the meeting

Absent was Commissioner:  
Edward W. Chance, Vice-Chairman

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

Representatives of the various news media were present.

Invocation by Commissioner Patricia M. Glass.

The meeting was called to order by Chairman Fletcher.

All witnesses/staff presenting testimony were duly sworn.

PROCLAMATION

Upon motion by Mrs. Glass, seconded by Mr. Chetlain, a Proclamation was unanimously adopted designating August 12, 1986, as "Laverne B. Hambacher Day" in recognition of her performance of professional duties and service to Manatee County (retiring September 1986 from Board Records, Clerk of Circuit Court).

RECORD PROCLAMATION S35-552

AWARDS - NATIONAL ASSOCIATION OF COUNTIES

(Enter Mrs. Hooper)

The Chairman presented the 1986 National Association of Counties "County Achievement Awards" for the following programs:

Exceptional Programs:

- = Agricultural Property Assessment Advisory Committee - by Extension Service.
- = Work Release Individualized Structured Treatment Program - by Work Release Division.
- = Citizens Action Center - by County Administrator's Office.

Other Programs:

- = Emergency Medical Service Collection Billing Series - by Public Safety.
- = 4-H/Tropicana Public Speaking Program - by Extension Service.
- = Lake Manatee Watershed Task Force - by Extension Service.
- = The Great Manatee County Shootout: Feature Photo Contest - by Office of Personnel.
- = Florida State Fair Exhibit - by Office of Personnel.
- = Need Assessment, Vendor Selection, Policy and Implementation - by Data Information Services.
- = Emergency Communications Quality Circle/Participatory Management - by Public Safety.

CORTEZ GARDENS SUBDIVISION - SPECIAL ASSESSMENT PROJECTS

Public hearing (continued from 7/22/86) was opened to consider Special Improvement Assessment Roll on projects in Cortez Gardens Subdivision:

- 5025 43 Avenue West from 59 St W, west to 63 St W
- 5026 60 Street Court West from Cortez Road, north to 43 Ave W
- 5027 60 Street Court West from 40 Ave W, south to 42 Ave W
- 5028 61 Street West from 40 Ave W, south to 42 Ave W
- 5035 60 Street West from 40 Ave W, south to 43 Ave W
- 5036 61 Street West from 42 Ave W, south to 43 Ave W
- 5037 62 Street West from 40 Ave W, south to 43 Ave W
- 5038 60 Street Court West from 42 Ave W, south to 43 Ave W
- 5039 42 Avenue West from 63 St W, east to the east property line of Lot 15, Block 10 and the east property line of Lot 20, Block 1
- 5054 40 Avenue West from 59 St W, west to 63 St W
- 5055 63 Street West from 40 Ave W, south to Cortez Road.

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Tom Fenton, Public Works/Transportation, submitted (1) letters and petitions with signatures of approximately 54 property owners in favor of the projects, and (2) pictures of 63 Street West showing the conditions of the roads in the area.

He advised that the City of Bradenton has agreed to pay the County \$106,387.86 within 30 days of the awarding of the contract for the road improvements (as noted in copy of letter dated August 7, 1986, from S. Earl Crawley, Director of Public Works, City of Bradenton).

James Thompson spoke in opposition to the assessment projects.

Doris Waco spoke in favor of the projects. Approximately 12 people raised their hands in agreement with Ms. Waco's comments.

The public comment portion of the hearing was closed.

Motion to adopt Resolution R-86-197 amending the Special Assessment Roll for the Cortez Gardens pavement project was withdrawn after advice by the County Attorney that this was not an amendment.

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

R-86-197: A RESOLUTION CONFIRMING ADOPTION OF SPECIAL ASSESSMENT ROLL AND ESTABLISHING SPECIAL ASSESSMENT LIENS FOR PROJECT APPROVED UNDER RESOLUTION R-85-245, CORTEZ GARDENS SUBDIVISION.

Motion carried unanimously.

RECORD RESOLUTION S35-553

**CIVIC CENTER - FINANCIAL STATUS**

Stuart Gregory, Chairman, Civic Center Authority, and Judhi Chopping, Executive Director of the Civic Center, reported on the financial status of the Civic Center.

**MAGNOLIA MANOR & VICINITY - SPECIAL ASSESSMENT PROJECT**

Public hearing (Notice in The Bradenton Herald 7/27/86) was opened to consider a Special Improvement Assessment Roll on project

5056 Magnolia Manor and Vicinity:

13 Avenue East from Morgan Johnson Road to I-75

18 Avenue East from Morgan Johnson Road to 70 St Ct E

24 Avenue East from 64 St Ct E to 70 St Ct E

60 Street East from 13 Ave E, south 774.5 feet M/L

64 Street Court E from north existing pavement, south to 24 Ave E

67 Street Court E from north existing pavement, south to 24 Ave E

70 Street Court East from 13 Ave E, south 312 feet M/L

70 Street Court East from 18 Ave E to 24 Ave E

Letters opposing the project were acknowledged from Robert Dennis and from Janice Gullett (with letter of response from Mr. Chance).

Speaking in opposition to this project and/or the method of payment were Robert Dennis, Larry Hartshorn, and Janice Gullett.

Speaking in favor of this project and/or questioning who will be responsible for maintenance after the streets are paved, etc., were Sam Hardee and Mickey Maddox.

The public comment portion of the hearing was closed.

Upon question regarding property owners unable to pay the assessments, the County Administrator advised staff is in the process of establishing procedures for hardship cases.

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

R-86-181: A RESOLUTION CONFIRMING ADOPTION OF SPECIAL ASSESSMENT ROLL AND ESTABLISHING SPECIAL ASSESSMENT LIENS FOR PROJECT APPROVED UNDER RESOLUTION R-86-87, WHICH AMENDED R-86-29, MAGNOLIA MANOR AND VICINITY.

Motion carried unanimously.

RECORD RESOLUTION S35-554

Recess/reconvene. All members present except Mr. Chance.

**COUNTY GOLF COURSE - FEE STRUCTURE/PROCEDURES**

Richard P. Nelson, citizen, submitted and reviewed his letter requesting a revision in the fee structure and procedures in the operation of the County Golf Course in order to provide fair participation to the permanent year-round residents of the County.

Disposition: Referred to the County Administrator.

**DRUGS: ROCK COCAINE (THREAT OF USE)**

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

R-86-196: A RESOLUTION REQUESTING FEDERAL AND STATE ASSISTANCE AT THE LOCAL LEVEL IN DEALING WITH THE THREAT OF ROCK COCAINE USE.

Motion carried unanimously.

RECORD RESOLUTION S35-555

**MYAKKA RIVER COORDINATING COUNCIL (REPRESENTATIVES)**

Motion was made by Mrs. Hooper, and seconded by Mr. Chetlain, to authorize the Chairman to sign letter to Senator Robert M. Johnson offering nomination of Richard M. Eckenrod as Manatee County representative on the Myakka River Coordinating Council. Motion carried unanimously. (The name of Michael Pascuzzi was also submitted for consideration)

**HOUSING AUTHORITY**

A question was raised regarding the problem of residents of mobile home parks being forced out of their homes due to the sale of the park(s) and the possibility of the Housing Authority acquiring a mobile home park to house displaced people.

Robert Rogers, Housing Authority Director, advised that an Affordable Housing Bill, passed during the last Legislative session, includes a "trailer/mobile home relocation act" and that the Housing Authority will be applying for assistance under this Act once the rules that are presently being written are completed.

No action was taken.

**COUNTY ADMINISTRATOR'S CONSENT AGENDA**

Upon motion by Mrs. Glass, seconded by Mrs. Hooper, the County Administrator's Consent Agenda dated August 12, 1986, was unanimously approved.

Items approved included:

**DEEDS & EASEMENTS**

Manatee Avenue West - Cross Access Easement between S. Robert Sabler, as Trustee, Manatee Corporate Center, party of the first part, and Centre West Partnership, party of the second part; Joinder from NCNB National Bank of Florida; Affidavit of Ownership and Encumbrances from S. Robert Sabler.

**SPEED LIMITS**

Public hearing on Ordinance 86-33, amending Ordinance 84-05, to establish speed limits on 2nd Avenue Drive E, 3rd Avenue Drive E, 4th Avenue E, 4th Avenue Boulevard E, 36th Street E, and 37th Street Court East (all in Palmetto), Golf Course Road and Tropical Drive.

**COMMUNITY CARE FOR THE ELDERLY/ELDERBUS GRANT, 1986 (REVISIONS)**

1. Execution of First Modification Agreement with West Central Florida Area Agency on Aging, Inc. for transportation services to individuals 60 years of age and older, reducing the Federal contribution by 4.3 percent.
2. Execution of Revised Application and any subsequent Modification Agreements with West Central Florida Area Agency on Aging, Inc. reflecting award of 1985 Title III carry-forward funds to be used for additional medical trips, offsetting the 4.3 percent reduction.

RECORD: CONTRACT FILE 3162

**COMMUNICATIONS/TELEPHONE SWITCHBOARD**

Execution of purchase agreement with G.T.E. Communications Corporation for sole source purchase of an NEC 2400 Digital PABX telephone switchboard, not to exceed \$220,326 (\$110,163, FY 85/86 and \$110,163, FY 86/87).

CORRECTION: No agreement submitted. Memo clarifying request "authorization to issue purchase order"

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**JIM DAVIS BRIDGE**

Issue Change Order No. 1 to contract with Benson Associates for \$4,000 increase.

**CORTEZ ROAD IMPROVEMENTS**

Issue Change Order No. 2 to contract with Diaz, Seckinger & Associates, Inc. (DSA Group, Inc.) and execution of Exhibits C-1 and C-2 (to contract dated 9/18/84), \$12,500 increase.

RECORD: CONTRACT FILE 2701

**SURPLUS PROPERTY**

Classify excess property, Jim Davis Bridge, No. 134009, as surplus (salvage material from obsolete wooden bridge).

**SOUTHWEST REGIONAL WASTEWATER TREATMENT PLANT**

Release retainage to Danis-Shook of Florida as per contract on expansion and upgrading.

**NORTH COUNTY SEWERAGE SYSTEM FACILITIES**

Execution of Work Authorization No. 14 with Larson Engineering, Inc., for design of West Memphis Collection System, not to exceed \$78,790

RECORD: CONTRACT FILE 3336

**CIVIC CENTER**

Adoption of

R-86-194: RESOLUTION APPROVING THE CONTRACT BETWEEN  
THE MANATEE COUNTY CIVIC CENTER AUTHORITY AND TROUTMAN  
WELL DRILLING, INC. FOR DRILLING OF A WELL

(NOTE: No contract submitted; letter of August 1, 1986 from Judhi Chopping, Executive Director, states the Authority voted to "award the bid" with Troutman Well Drilling, Inc., for \$8,300)

RECORD RESOLUTION S35-556

**HOUSING AUTHORITY**

Chairman to sign letter to US Department of Housing and Urban Development supporting application by Manatee County Housing Authority for 100 additional Section 8 Rental Assistance units.

**BUDGET AMENDMENTS**

Adoption of Resolutions amending the 1985-86 budget providing for receipt and appropriation of unanticipated revenues, item to item transfers and decrease in revenue/expenditures to reflect actual revenue.

**COMMUNITY CARE ELDERLY (86-195)**

Increase Revenue Items:

CCE VIII, Contributions

Increase Expenditure Items:

CCE VIII - Regular Salaries, FICA, etc.

\$604,804.00

RECORD RESOLUTION S35-557

**COMMUNITY SERVICES (86-196)**

Increase Revenue Items:

Homemaker/Chore Contributions

Increase Expenditure Items:

Homemaker/Chore IIIB VI

\$300.00

RECORD RESOLUTION S35-558

**Decrease Revenue Items: (86-197)**

Homemaker/Chore IIIB VI

Decrease Expenditure Items:

Homemaker/Chore IIIB VI - Regular Salaries, etc. \$4,312.00

RECORD RESOLUTION S35-559

From: Homemaker/Chore IIIB VI - (86-198)

Consultant/Accounting etc.

To: Reserves - Contingency

\$2,000.00

RECORD RESOLUTION S35-560

**LIBRARY (86-199)**

Increase Revenue Items:

Gift/Contributed Capital Revenue

Increase Expenditure Items:

Gift/Supplies

\$3,846.00

RECORD RESOLUTION S35-561

**COURTS (86-200)**

From: County Court, Circuit Court, Court

Reporter - County, Court Reporter - Circuit

To: County Court, Circuit Court, Court

Reporter - Circuit

\$69,100.00

RECORD RESOLUTION S35-562

**GOLF COURSE** (86-201/1)

Increase Revenue Items:

Capital Improvements - Transfer from 470

Increase Expenditure Items:

Pump Station - Improvements

\$26,000.00

RECORD RESOLUTION S35-563

(86-201/2)

From: Retained Earnings

To: Transfer to Capital

\$26,000.00

RECORD RESOLUTION S35-564

(End Consent Agenda)

**COMPREHENSIVE PLANNING - RULE 9J-5**

Motion was made by Mrs. Glass, seconded by Mr. Chetlain and carried unanimously, to authorize the Chairman to sign letter to the Florida Department of Community Affairs supporting proposed amendments to Chapter 9J-5 (Florida Administrative Code) "Minimum Criteria for Review of Local Government Comprehensive Plans and Determination of Compliance".

**SURPLUS PROPERTY (DISASTERS - HAY FOR DROUGHT STRIKEN AREAS)**

The County Administrator referred to the plight of the drought stricken areas and recommended the County donate the surplus hay cut from County property (Lake Manatee water treatment plant) to these areas. He advised that Travis Seawright, Land & Natural Resources Department, is working on a plan for transportation to South Georgia.

Charles Hunsicker, Public Works/Utilities, recommended that 600 bales of hay be declared surplus in order to allow it to be sent to a drop off point in the area of need, so long as the transportation can be arranged without cost to the County.

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

**SATISFACTIONS OF JUDGMENT**

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

R-86-142: A RESOLUTION OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE COUNTY ATTORNEY TO ENTER AND EXECUTE SATISFACTIONS OF JUDGMENT ON JUDGMENTS NOT EXCEEDING FIVE THOUSAND DOLLARS (\$5,000); AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE SATISFACTIONS OF JUDGMENT EXCEEDING FIVE THOUSAND DOLLARS (\$5,000); PROVIDING AN EFFECTIVE DATE.

Motion carried unanimously.

RECORD RESOLUTION S35-565**LAWSUITS****Willie Washington vs Manatee County (Worker's Compensation)**

Motion was made by Mrs. Glass, and seconded by Mr. Chetlain, to accept (1) Order for Release from Liability for Future Payments of Compensation, Rehabilitation Expenses, or Death Benefits But Excluding Medical Expenses, (2) Joint Petition and Stipulation, and (3) Notice of Voluntary Dismissal (by plaintiff) in the Worker's Compensation case (settlement) of Willie Washington vs Manatee County, Case No. CA-85-1817 and Department of Labor Claim No. 265-02-3366. Motion carried unanimously.

**Charles Bailey vs Manatee County (Worker's Compensation)**

Motion was made by Mrs. Glass, and seconded by Mrs. Hooper, to accept (1) Order of Release From Liability for Future Payments of Compensation, Rehabilitation Expenses, or Death Benefits But Excluding Medical Expenses, and (2) Joint Petition and Stipulation for release of all liability with the exception of future medical entitlements under the provisions of F.S. 440.20(12) in the Worker's Compensation case of Charles R. Bailey vs Manatee County, Department of Labor Claim No. 438-92-7340. Motion carried unanimously.

**COQUINA BEACH**

The County Attorney advised that in 1962, by virtue of judgment in the case of Manatee County and the State Road Department of Florida vs Martha Skinner, et al, the court determined that the property now

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known as Coquina Beach is owned by both Manatee County and the Florida Department of Transportation (FDOT). It was understood that FDOT had intended to convey its interests in Coquina Beach, not related to operating and maintaining right-of-way for SR 789 (Gulf Drive), to Manatee County, but this has not yet occurred. He recommended the Board adopt a resolution requesting FDOT to convey to Manatee County all interest in Coquina Beach not necessary for SR 789 right-of-way.

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

R-86-198: A RESOLUTION REQUESTING THE FLORIDA DEPARTMENT OF TRANSPORTATION TO CONVEY ALL OF ITS INTERESTS IN COQUINA BEACH WHICH ARE NOT NECESSARY FOR THE RIGHT-OF-WAY FOR STATE ROAD 789 TO MANATEE COUNTY, FLORIDA.

Motion carried unanimously.

RECORD RESOLUTION s35-566

#### LAND ACQUISITION - BEKER PHOSPHATE

The County Attorney requested clarification of whether or not the Board should acquire the total of approximately 4,000 acres of land in the watershed owned by Beker, or some lesser acreage.

Mrs. Glass moved to approve continued negotiations with Beker Phosphate based on the acquisition of the total 4,000 acres, more or less, of Beker watershed lands. Motion was seconded by Mr. Chetlain and carried unanimously.

#### CLERK'S CONSENT CALENDAR

Upon motion by Mrs. Glass, seconded by Mr. Chetlain, the Clerk's Consent Calendar dated August 12, 1986, was unanimously approved.

#### BONDS

##### Subdivisions:

##### Crescent Lakes, Phase I:

Release: Performance Bond \$17,762.80 - Letter of Credit, NCNB No. 31092; Agreement with Trans-United Development Corp. for Required Improvements (sidewalk construction (\$17,762.80)).

##### Crescent Lakes, Phase II:

Accept: Performance Bond \$13,998.60 - Letter of Credit, NCNB No. 31239; Agreement with Trans-United Development Corp. for Required Improvements (sidewalk construction \$13,998.60)

Defect Security \$22,440.12 - Letter of Credit, NCNB No. 31240 from NCNB; Agreement with Trans-United Development Corp. Warranting Required Improvements.

Release: Performance Bond \$131,012.09 - Letter of Credit NCNB No. 31127; Agreement with Trans-United Development Corp. for Required Improvements.

#### BILLS FOR PAYMENT:

##### Attorney's Fees:

Balance before payment:	\$359,610.71	
Balance after payment:	\$260,574.67	
Burke, Bosselman & Weaver - Impact Fee Ordinance		\$ 14,936.56
Lane, Trohn, et al - Retained Counsel Services		4,800.77
Nabors, Giblin, et al - Retained Counsel Services		8,503.83
Carlton, Fields, et al - Retained Counsel Services		32,299.27
Landers, Parsons & Uhlfelder - Airport Auth vs M.C.		3,303.21
Hogg, Allen, et al - Retained Counsel Services		6,958.24
Batson, Jones, Bennett & Co. - Double Taxation Case		1,910.00
Bush, Ross, et al - Marine One vs M.C.		26,324.16
Lanzo Construction - North Wastewater Improvement Facility/Master Lift Station		27,947.00
Camp Dresser & McKee - Southeast Subregional Wastewater Facilities		25,109.96
Cone Constructors - Ellenton Lift Stations		113,142.38
Danis-Shook - Southeast Pump Stations & Force Mains		27,630.00
" " - Southwest Regional Wastewater Treatment Plant		52,377.30
" " - Southwest Regional Wastewater Treatment Plant		998,194.00

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**Refunds:**

J.R. Howell - Animal Cage Deposit	20.00
Roberta Maloney - Animal Cage Deposit	20.00
Karen Cohodes - Facility Reservation Fee	10.00
Mary Reeves - Facility Reservation Fee	10.00
Joan Fisher - Child Safety Seat Deposit	10.00
Neil McEachern - Child Safety Seat Deposit	10.00
Ellen Kloppenburg - Child Safety Seat Deposit	10.00
Audrey Hensley - Child Safety Seat Deposit	10.00
Joann Knudsen - Child Safety Seat Deposit	10.00
Everett Johnson - Child Safety Seat Deposit	10.00

**WARRANT LIST:**

Approve: August 5, 1986 through August 11, 1986

Authorize: August 12, 1986 through August 18, 1986

**AUTHORIZE CHAIRMAN TO SIGN:**

Partial Release of Special Improvement Assessment Liens:

Eugene S. Zickafoose - Project No. 5019

Hillard D. & Arma L. Story - Project No. 827

**APPROVE, RATIFY, & CONFIRM:**

Parks & Recreation Special Interest Classes Instructor's Agreements:

Suzanne Summers - Baton 3337

Michael Vega - Beg. Adult Modern Dance 3338

RECORD: CONTRACT FILE

**MINUTES FOR APPROVAL:**

June 25, 26, 27 and July 1, 1986

**CITRUS CANCKER - REMOVAL PROJECT**

It was noted that Bob Griffith, State Agriculture Department, has requested relief of Landfill Fees in connection with the Citrus Canker Removal Project.

Disposition: Staff to research waiving the fees and submit report to Board on Thursday, August 14, 1986,

**OFFICE SPACE - BRADENTON FINANCIAL CENTER**

Staff was requested to report, Thursday, August 14, 1986, on offer by Wilbur Boyd Corporation for availability of office space in the Bradenton Financial Center.

**MEETING ADJOURNED**

There being no further business, the meeting was adjourned.

Attest:

APPROVED:

  
Clerk  
Adj: 12:58 p.m.

  
Chairman