

November 18, 1986

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Tuesday, November 18, 1986, at 9:05 a.m.

**Present were Commissioners:**

Edward W. Chance, Vice-Chairman  
Kent G. Chetlain  
James J. McGrath

**Absent:**

Westwood H. Fletcher, Jr., Chairman  
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 Rick Bussey, Covenant Life Assembly Church

The meeting was called to order by Vice-Chairman Chance.

All witnesses/staff giving testimony were duly sworn.

**COUNTY COMMISSIONERS - OATHS OF OFFICE**

This being the first meeting for members of the Board elected Tuesday, November 4, 1986 (taking office two weeks after the General Election) Paul E. Logan, Circuit Judge, administered Oaths of Office to:

Kent C. Chetlain	(Re-elected/4 years)	District 1
James J. McGrath	(New elect/2 years)	District 5
(Fill unexpired term of Vernon Vickers, resigned)		

**CRIMINAL JUSTICE ADVISORY BOARD**

Paul E. Logan, Circuit Judge and Chairman of the Criminal Justice Advisory Board, recommended (by letter 4/17/86) that planning begin for construction of a new jail facility and requested authorization to solicit proposals from professional consultants to assist the Advisory Board in completion of a pre-architectural program.

Upon motion by Mr. Chetlain, seconded by Mr. McGrath, authorization to secure a Criminal Justice Planning Consultant Service was unanimously approved.

**AWARD**

**Certificate (Retirement)**

Ralph D. Sasser, Fuel Attendant, Central Services, was presented with a certificate and fifteen year pin for his service to Manatee County.

**PROCLAMATIONS**

**Year of Thanksgiving**

Upon Motion by Mr. Chetlain, seconded by Mr. McGrath, a proclamation was unanimously adopted designating 1987 as "The Year of Thanksgiving" in Manatee County.

**The Great American Smokeout**

Upon motion by Mr. McGrath, seconded by Mr. Chetlain, a proclamation was unanimously adopted designating November 20, 1986 as "The Great American Smokeout" (re: cigarette smokers) in Manatee County.

**RECORD PROCLAMATIONS**

S36-24

S36-25

**ORDINANCE 86-40, ALCOHOLIC BEVERAGES**

Public Hearing (Notice in The Bradenton Herald 10/13/86) was opened to consider

**ORDINANCE 86-40** AN ORDINANCE RELATING TO ESTABLISHMENTS WHICH SELL OR PERMIT THE CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THEIR PREMISES; DEFINING ALCOHOLIC BEVERAGES; DEFINING ESTABLISHMENTS DEALING IN ALCOHOLIC BEVERAGES; PROVIDING FOR OPENING AND CLOSING HOURS OF SUCH ESTABLISHMENTS DEALING IN ALCOHOLIC BEVERAGES; REPEALING ORDINANCE 78-7; PROVIDING PENALTIES FOR VIOLATING THIS ORDINANCE PROVIDING AN EFFECTIVE DATE.

The County Attorney outlined the intent and purpose of the Ordinance and noted scrivener's error pertaining to hours of operation (to be corrected to read between 7:00 a.m. and 2:30 a.m.).

Speaking in Favor of Ordinance 86-40 were:

Charlie Wells, Sheriff	Sergeant Rick Mills, Florida Division
Roger Ellis	of Alcoholic Beverages and Tobacco
David Parrish	Kathy McGuire
Carl Zwankin	Bob Hodges
Mrs. Ann Dalberto	Galeen Royler
Art Lehrfeld	

Carl Peterson submitted petition(s), with (approximately 4,000) signatures, opposing the business establishment known as "Teasers" and requesting the Board to prepare an Ordinance prohibiting after hours "Bottle Clubs" and obscene exotic dancing establishments.

Mr. Chetlain moved to enter the petitions into the record. Motion was seconded by Mr. McGrath and carried unanimously.

Discussion: Bottle Clubs locating in residential areas; adopting Ordinance 86-40 and then amending it to restrict such establishments to certain zoning classifications.

Mr. Chetlain moved for adoption of Ordinance 86-40 with correction of scrivener's error to read between 7:00 a.m. and 2:30 a.m. (instead of between "7:00 a.m. and 2:00 a.m.") Motion was seconded by Mr. McGrath and carried unanimously.

Upon motion by Mr. Chetlain, seconded by Mr. McGrath and carried unanimously, the County Administrator was authorized to schedule a work session (with the appropriate staff and agencies) to discuss amending Ordinance 80-40.

RECORD ORDINANCE

S36-26

Recess/Reconvene.

**ORDINANCE 86-43, THE TOURIST DEVELOPMENT ORDINANCE**

Public Hearing (Notice published in The Bradenton Herald 10/13/86) was opened to consider adoption of

**ORDINANCE 86-43** AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 80-3, THE TOURIST DEVELOPMENT ORDINANCE, AS PREVIOUSLY AMENDED; AMENDING SECTION 3 PROVIDING A TOURIST DEVELOPMENT PLAN FOR MANATEE COUNTY; AND PROVIDING FOR THE ALLOCATION OF FUNDS COLLECTED BY THE TOURIST DEVELOPMENT TAX TO FUND PROMOTIONAL AND ADVERTISING PROJECTS SPONSORED BY THE MANATEE COUNTY COUNCIL FOR THE ARTS; AND PROVIDING AN EFFECTIVE DATE.

May Faircaine, Manatee Council For the Arts, reported on specific uses for the proposed tax revenues to promote tourism.

Mr. Chetlain moved to approve Ordinance 86-43 amending the Tourist Development Plan to allocate funds to the Manatee County Council For The Arts. Motion was seconded by Mr. McGrath and carried unanimously.

RECORD ORDINANCE

S36-27

November 18, 1986

Cont'd

**MANATEE COUNCIL FOR THE ARTS: FUNDING AGREEMENT**

Motion was made by Mr. Chetlain, seconded by Mr. McGrath and carried unanimously, to approve Tourist Development Funding Agreement for Fiscal Year 1986-87 with Manatee Council for the Arts to fund certain events (total \$10,000) which would contribute to the promotion and advertising of tourism.

RECORD CONTRACT FILE 3449

**ORDINANCE 86-42, THE CODE ENFORCEMENT BOARD**

Public Hearing (Notice in The Bradenton Herald 10/13/86) was opened to consider

**ORDINANCE 86-42** AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 82-18 (THE CODE ENFORCEMENT BOARD ORDINANCE OF MANATEE COUNTY, FLORIDA), PROVIDING INTENT WITH RESPECT TO THE BOARD; REVISING PROCEDURES AND REQUIREMENTS FOR HEARINGS HELD BY THE BOARD, NOTICES, AND ORDERS ISSUED BY THE BOARD; PROVIDING FOR THE FORECLOSURE OF LIENS AFTER SIX (6) MONTHS FROM THE FILING OF SUCH LIENS; RESCINDING THE AUTHORITY OF THE CODE INSPECTOR TO INSTITUTE ENFORCEMENT PROCEEDINGS WITHOUT PERMISSION OF THE BOARD; INCORPORATING RELEVANT STATUTORY PROVISIONS AND DELETING CERTAIN REPETITIOUS PROVISIONS; AMENDING THE DURATION OF LIENS IMPOSED BY THE CODE ENFORCEMENT BOARD; AND PROVIDING AN EFFECTIVE DATE.

The County Attorney outlined the intent and purpose of the Ordinance and explained that the amendments will provide consistency with recent statutory changes.

Mr. Chetlain moved to adopt Ordinance 86-42. Motion was seconded by Mr. McGrath and carried unanimously.

RECORD ORDINANCE S36-28

**ORDINANCE 86-34, PARKING FACILITIES**

Public Hearing (Notice in The Bradenton Herald 10/13/86) was opened to consider

**ORDINANCE 86-34** AN ORDINANCE OF MANATEE COUNTY SETTING FORTH CERTAIN FINDINGS OF FACT; AUTHORIZING THE EXPENDITURE OF COUNTY FUNDS FOR THE PROVISION OF PARKING FACILITIES FOR CERTAIN EMPLOYEES, ELECTED AND APPOINTED OFFICIALS, BOARD AND COMMITTEE MEMBERS, AGENTS, SERVANTS AND INVITEES WHERE ACCESS TO PARKING WILL INCREASE EFFICIENCY IN THE PERFORMANCE OF COUNTY DUTIES; AUTHORIZING THE DEVELOPMENT OF REPORTS AND PROCEDURES NECESSARY TO IMPLEMENT THIS ORDINANCE; PROVIDING CERTAIN LIMITATIONS; AUTHORIZING THE EXPENDITURE OF PUBLIC FUNDS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Chetlain moved to continue the Public Hearing on Ordinance 86-34 to November 25, 1986. Motion was seconded by Mr. McGrath and carried unanimously.

**ADMINISTRATIVE COMPLEX: SPACE NEEDS**

At the request of the County Administrator, discussion of constructing an Administrative Complex to meet the Year 2005 Space Needs was deferred.

**MANATEE COUNTY ENGINEERING STANDARDS**

Harry Ely, Jr., P.E., Public Works/Transportation, submitted and recommended approval of proposed Highway and Engineering Standards prepared by a committee (composed of various staff and consulting engineers) formed for that purpose. Due to rapid technological advances he requested the Public Works Director be authorized to amend these standards when necessary.

Motion was made by Mr. Chetlain, and seconded by Mr. McGrath, to approve the Manatee County Department of Public Works Highway and Engineering Standards. Upon question, Mr. Chetlain restated his motion to include that the standards may be amended upon approval of the Public Works Director. Motion carried unanimously.

RECORD S36-29

**SAUNDERS ROAD WIDENING: GRANT AGREEMENT**

Subject: Agreement with Florida Department of Commerce in connection with grant of \$1,950,000 for multi-laning Saunders Road from Old US 301 to New US 301 (Manatee County Project 3038-C).

In describing the project, Mr. Chance noted it would widen approximately- 1 mile of Saunders Road from a 2-lane road to a 5-lane undivided road with the 2 outer lanes measuring 15 feet and the 3 center lanes measuring 12 feet from old U.S 301 (15th Street East) to new U.S. 301 (27th Street East); to rebuild the Oneco drain - Bowlees drainage canal bridge on Saunders Road; and improve the intersection at Saunders Road and old U.S. 301. (Basis of application was location of Flowers Industries, Inc. facilities in Manatee County)

Mr. Chetlain moved to approve execution of agreement between the Florida Department of Commerce, Florida Department of Transportation and Manatee County for a grant in the amount of \$1,950,000 for the multi-laning of Saunders Road (63rd Avenue) from Old 301 to New 301. Motion was seconded by Mr. McGrath and carried unanimously.

RECORD CONTRACT FILE 3450

**34TH STREET WEST (WIDENING) - LAND ACQUISITION**

Jim Staples, Public Works/Transportation, advised that purchase contract with Gerald E. Mauer is the first step in acquiring right of way to multi-lane 34th Street West from 53rd Avenue West to Cortez Road.

Mr. Chetlain moved to execute the Contract For Sale and Purchase of Parcel No. 43 for Project #3091 from Gerald E. Maurer (\$55,175.00). Motion was seconded by Mr. McGrath and carried unanimously.

RECORD CONTRACT FILE 3451

**LIBRARY: GRANT AWARD (LITERACY)**

Mr. Chetlain moved to accept literacy grant award (LSCA Title VI Library Literacy Program from the United States Department of Education) in the amount of \$19,200 (from 10/1/86 through 12/31/87). Motion was seconded by Mr. McGrath and carried unanimously.

**G. T. BRAY PARK: LITTLE LEAGUE COMPLEX**

Martha Hilton, Parks and Recreation Department, submitted and recommended approval of request by The Manatee County Little League to enter into an agreement with the county to construct a small building and install batting cages, at Little League expense, at the G. T. Bray Park-Little League Complex.

Upon motion by Mr. McGrath, seconded by Mr. Chetlain and carried unanimously, preparation of an agreement with the Manatee County Little League was authorized.

**MOBILE HOME ADVISORY BOARD - ABOLISHED**

The County Administrator relayed request from The Chairman of the Manatee County Mobile Home Advisory Board (letter 10/13/86) suggesting this Board be terminated since laws are now in effect placing the responsibility for mobile home park regulation on the State.

Mr. Chetlain moved to abolish the Manatee County Mobile Home Advisory Board as recommended by James Hammer of the Manatee County Mobile Home Advisory Board. Motion was seconded by Mr. McGrath and carried unanimously.

**DIRECTOR OF PUBLIC SAFETY**

The County Administrator advised (memorandum 11/12/86) that in-house efforts to recruit a Director for the Department of Public Safety have been unsuccessful and requested authorization to negotiate with no less than three executive search firms to find the best possible candidate.

Mr. Chetlain moved to authorize negotiation with no less than three executive search firms to assist in the recruitment of a Director for the Department of Public Safety. Motion was seconded by Mr. McGrath and carried unanimously.

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**BOYS' CLUBS OF MANATEE COUNTY, INC. - FEES WAIVED (CHRISTMAS TREE SALES)**

Motion was made by Mr. Chetlain, seconded by Mr. McGrath and carried unanimously, to authorize the Chairman to sign a letter to the Boys' Club of Manatee County waiving the fees required to set-up Christmas Tree sales lots at Bayshore, Lakeside and Beachway shopping centers from November 22, through December 24, 1986.

**COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

Ken Rogers, Affirmative Action/EEO, summarized required actions by the Board in connection with application to the Florida Department of Community Affairs (DCA) for a Small Cities Community Development Block Grant (CDBG) and submitted recommendations (1, 2, 3) on those actions.

- 1) Citizens Advisory Task Force  
Authorize the County Administrator to appoint the Citizens Advisory Task Force (prior to preparation of the application to involve citizens in the developmental stages of the proposal and all other phases of the project process), provided he appoint county residents recommended by a Commissioner.

**Motion: Citizens Advisory Task Force**

Mr. Chetlain moved to approve the recommendation made by Mr. Rogers. Motion was seconded by Mr. McGrath and carried unanimously.

- 2) First and Second Public Hearings  
Authorize the County Administrator to set the first public hearing to obtain input from citizens on community development and housing needs in the county and second public hearing to obtain input from citizens on the final application prior to submission to DCA.

**Motion: Public Hearings**

Mr. McGrath moved to authorize the County Administrator to set the public hearings. Motion was seconded by Mr. Chetlain and carried unanimously.

- 3) Fair Housing Ordinance  
Direct the County Administrator and County Attorney to prepare and bring before the Board a fair housing ordinance for adoption prior to January 5, 1987.

Mr. Rogers advised that although the county would be seriously disadvantaged in the scoring process if a Fair Housing Ordinance were not adopted by January 5, 1987, it is not an absolute requirement.

Discussion: Time constraints in preparing Ordinance due to holiday meeting schedules; loss of points if Ordinance does not accompany application; County being under State Housing Ordinance; Utilizing City of Palmetto Ordinance.

**Fair Housing Ordinance - Deferred.**

Mr. McGrath moved to defer this item (Fair Housing Ordinance) until a recommendation is received from the County Attorney. Motion was seconded by Mr. Chetlain. Voting "Aye" were Mr. Chetlain and Mr. McGrath. Mr. Chance voted "Nay." Motion carried.

**COUNTY ADMINISTRATOR'S CONSENT AGENDA**

Upon motion by Mr. Chetlain, seconded by Mr. McGrath, the County Administrator's Consent Agenda was unanimously approved.

Item Approved included:

**DEEDS/EASEMENTS**

1. 51st Avenue East and New US 301 - Warranty Deeds from E. S. Reasoner; Constance J. Horman; Temporary Construction Easements from Wayne W. & Mary E. Terry; Joe & Martha E. Powell; E. S. Reasoner (2); Constance J. Horman (all in Project #4089).
2. 9th & 12th Street East - Right of Way and Drainage Easements from Robert B. Walton (2); Robert B. & Gwendolyn Walton; Robert Walton; Heatherwood Lakes, Inc.; Bert Thomas & Holly Blount McKinney.
4. Wildewood Springs Boulevard - Revised Utility easement for Lift Station #1 from Paul Neal, Jr.

**9TH AVENUE WEST -IMPROVEMENTS/SIDEWALKS**

Execution of Contract for Sale & Purchase from Jimmie Hicks and William & Patricia Shelton for Right of Way and Sidewalk Improvements (\$2,261.00); Affidavit of Ownership/Encumbrances.

RECORD CONTRACT FILE

3452

**STREET VACATION: ONECO PARK SUBDIVISION**

Adoption of

R-86-207-V RESOLUTION DECLARING PUBLIC HEARING DECEMBER 9, 1986, ON APPLICATION 86-V-22 BY BRIARWOOD ENTERPRISES TO VACATE A PORTION OF ONECO PARK SUBDIVISION (PLAT BOOK 1, PAGE 217).

S36-30

**STREET VACATION: VIVIANETTE GARDENS**

Adoption of

R-86-256-V RESOLUTION DECLARING PUBLIC HEARING DECEMBER 9, 1986, ON APPLICATION 87-V-1 BY EDWARD L. AND ALYCE W. KALIN TO VACATE A PORTION OF VIVIANETTE GARDENS SUBDIVISION (PLAT BOOK 4, PAGE 14)

RECORD RESOLUTIONS

S36-31

**SPECIAL (ROAD) ASSESSMENT PROJECTS:**

Initiate road assessment projects in the 201 Facility Plan Service Area:

**Southwest Subregional Facilities**

SW-1 Sunny Shores SW-6 Orange Ridge High School  
SW-2 Palma Sola SW-9 County Line Industrial Complex  
SW-3 Wildwood Spring SW-10 El Conquistador

**Southeast Subregional Facilities**

SE-1 Riverdale SE-3 301 Industrial Complex

**North Subregional Facilities**

Beck Estates Colony Cove South  
Palmetto Point East

Additional collection system projects include:

**Southwest Subregional Service Area**

SW-1 Sunny Shores SW-7 Southeast High School  
SW-2 Palma Sola SW-8 U.S. 41 South, DeSears  
SW-4 Mockingbird Mobile Home Park  
SW-5 Palmdale  
SW-6 Orange Ridge

**Southeast Subregional Service Area**

SE-1 Marineland

**North Subregional Service Area**

N-1 Rocky Bluff N-2 Washington Park

**TRANSIT: ROUTE/FARE CHANGES**

Public hearing December 16, 1986, transit route/fare changes.

**ORDINANCE 86-47 - NO PARKING: 9TH STREET EAST**

Public Hearing on Ordinance 86-47, amending Ordinance 84-04; as amended by Ordinances 84-15 and 84-24, to prohibit the stopping, standing or parking of motor vehicles on 9th Street East.

**SPEED LIMITS:**

Public Hearing on Ordinance 86-46, amending Ordinance 84-05, to prohibit the travel of vehicles at speeds in excess of the established limit on 67th Street West; 68th Street West; 45th Avenue West; 46th Street West.

**PUBLIC WORKS**

1. **Tree Cutting/Removal** - Award Bid No. 87-36 to John's Tree Service on as required unit price basis.
2. **Interlocking Erosion Control System** - Award Bid No. 87-11 to Banks Supply Company, not to exceed \$15,198.00.
3. **Front End Loader with Forks (2-1/4 yards)** - Increase rental from Rozier Machinery Co from 1 to 4 months, not to exceed \$13,800.

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**NORTH SUBREGIONAL WASTEWATER IMPROVEMENTS, EFFLUENT STORAGE FACILITIES**

Adoption of:

R-86-272: RESOLUTION TENTATIVELY AWARDING CONSTRUCTION CONTRACTS FOR EPA WASTEWATER CONSTRUCTION GRANTS PROGRAM SUBJECT TO REGULATORY APPROVAL, UNDER THE PROVISIONS OF CHAPTER 63-1598, FLORIDA STATUTES EPA NO. C120540060 (STEP 3) MANATEE COUNTY BID NO. 86-108

RECORD RESOLUTION

S36-32

Award contract to Central States Contracting, Inc. (\$1,498,631) subject to US Environmental Protection Agency and Florida Department of Environmental Regulation approval; subsequent execution of contracts; simultaneous dating of performance/payment bonds and power of attorney.

**CENTRAL SERVICES:****1. Concrete Cement Products:**

Award bids to Atlantic Concrete Products, Inc., Suncoast Concrete Specialist, Inc., Hughes Supply, Rinker Materials Corporation, and S & H Concrete, Inc. on as required unit price basis.

**2. Utility Software Billing:**

Enter into contract negotiations with Moore Data Systems, Inc. (RFP 86-214).

**3. PVC/Ductile Iron Pipe & Fittings**

Rescind bid award 86-141 (Part C) to B & H Sales; Award to Banks Supply Co. on as required unit price basis.

**4. 53rd Avenue West/Shoulder Pavement Project 3021-3 Option I**

Award Bid No. 87-01 to Apac-Florida, Inc., not to exceed \$56,653.48; subsequent execution of contract upon receipt of performance-payment bond and insurance certificate.

**FACILITIES MANAGEMENT**

Execution of Supplemental Consulting Service Authorization Nos. 3, 4, and 5 with Forney Engineering, Inc. (as required unit price basis RFP 85-112) in accordance with original contract (4/29/86).

No. 3 HVAC Performance Evaluation of the Public Safety Complex (\$9,600).

No. 4 Mechanical/electrical engineering service for Work Release Center, (\$5,500).

No. 5 Feasibility study of the Public Safety Complex Engineering Evaluation above level three for administration office and court use, not to exceed (\$9,500).

RECORD CONTRACT FILE

3453

3454

3455

**PUBLIC SAFETY:**

Execution of State Emergency Communications Program Agreement with the Florida Department of Community Affairs for installation of emergency communications equipment: Facsimile, Panafax Model UIF-400AD (used for transmittal of documents in case of disaster); July 1, 1986-June 30, 1987.

RECORD CONTRACT FILE

3456

**COMMUNITY SERVICES**

Execution of Limited Use Agreement with Manatee Council for the Arts (Street Fair) for use of north parking lot of Central Library on Saturday, November 29, 1986.

RECORD CONTRACT FILE

3457

**GRANT: LIBRARY SERVICE TO LOCAL JAILS**

Execution of FY 1986-87 Library Service to Local Jails Grant Funding Agreement (DLS-86-I-2-D-3) with Florida State Division of Library and Information Services on Long-Range Program For Library Services, \$10,000.

RECORD CONTRACT FILE

3458

**SOIL CONSERVATION SERVICES: LEASE AGREEMENT****1. Adoption of**

R-86-290 RESOLUTION AUTHORIZING A LEASE OF CERTAIN REAL PROPERTY WITH SOIL CONSERVATION SERVICE.

RECORD RESOLUTION

S36-33

**2. Execution of Lease Agreement 57-4209-7-9 with Soil Conservation Service, U.S. Department of Agriculture for office space at the Agricultural Center, Palmetto. Annual rent \$3,132.00; effective October 1, 1986 through September 30, 1987 (yearly thereafter, but not beyond 9/30/88).**RECORD CONTRACT FILE

3459

**BUDGET AMENDMENTS:**

Adoption of Resolutions amending 1985-86 budget providing for item to item transfers and for receipt and appropriation of unanticipated revenues.

OFFICE OF MANAGEMENT AND BUDGET B-87-031  
From: General Fund Reserve for Contingency  
To: General County

\$ 5,000  
RECORD RESOLUTION S36-34

LIBRARY B-87-030  
Increase Revenue  
Miscellaneous Grants/Library  
Increase Expenditure  
Federal Literacy Program

\$19,200  
RECORD RESOLUTION S36-35

(End Consent Agenda)

**CITIZENS COMMENTS (BOTTLE CLUBS/ALCOHOLIC BEVERAGES)**

Speaking in opposition to bottle clubs and in favor of Ordinance 86-40 (Alcoholic Beverages) were:

David Parrish Carl Peterson  
Sheriff Charlie Wells  
Captain Dennison, Sheriff's Department  
Ann Delberto - Submitted pictures (entered into the record) depicting signs placed on county right of way by "Late Nite Cortez".

**Recess/Reconvene.** All members present except Mr. Fletcher, Mrs. Glass.

Following recess, additional comments were received by persons opposing bottle clubs and in favor of Ordinance 86-40:

Bill Harrier, Pastor Cortez Road Baptist Church  
Carl Zwinck Arden Lehrfeld  
Bob Hodges Sabino Lioce  
Galeen Royer Evelyn Week  
Mary Lou Colbert Rite Wallace  
Paula Lerfold Roy Monte

Speaking in favor of Bottle Clubs and opposing Ordinance 86-40 were:

Andy Amerious, owner of the After Hours Clubs  
Rex Hannaford, owner of Late Nite Cortez

**DISABLED AMERICAN VETERANS CHAPTER 99: IMPACT FEE(S) WAIVER**

Melton Little, on behalf of Disabled Veterans Chapter 99, 10915 State Road 70, Oneco, requested waiver of sewerage impact fees.

Disposition: County Attorney and veterans representative to discuss possibility of impact fee waiver or alternatives and, if necessary, place it on a future agenda.

**DEER RUN AT PALM VIEW SUBDIVISION**

Upon request of The County Attorney, consideration of final subdivision plat for Deer Run At Palm View was deferred pending receipt of appropriate documents.

**WHITFIELD MANOR SUBDIVISION**

Upon motion by Mr. Chetlain, seconded by Mr. McGrath, the following final subdivision plat, together with associated bonds and documents (outlined in memorandum 10/30/86 from Public Works Director) were unanimously approved/accepted/executed:

1. Final Plat: Whitfield Manor Subdivision
2. Improvement Bond (Sidewalks) \$11,000  
(City Commercial Bank L/C No 176 by order of Haney Construction Company, Inc.)
3. Agreement with Wen Y. Chung, developer, through Haney Construction, Inc., for required improvements \$11,000.



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4. Defect Security Bond \$24,000 (First National Bank of Venice L/C No. 86-106)
5. Agreement with Wen Y. Chung Warranting Required Improvements \$24,000
6. Mortgagees' joinder/ratification (2)

**COUNTY ATTORNEY: EXCESS ANNUAL LEAVE**

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

**R-86-282** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR AN EXTENSION OF TIME IN WHICH EXCESS ANNUAL LEAVE BALANCE MAY ACCRUE FOR COUNTY ATTORNEY H. HAMILTON RICE, JR.

RECORD RESOLUTION  
RECORD CONTRACT FILE

S36-36  
2908

**MANASOTA 88 VS MANATEE COUNTY AND STATE OF FLORIDA DER/ATTORNEY'S FEES**

The County Attorney reported on the Final Order (6/19/86) by the Secretary of the Department of Environmental Regulation (DER) which resulted in a permit being granted to Manatee County for construction of a deep injection well to be tested for possible use of secondary treated waste or effluent. Manasota 88 opposed approval of County's application and filed petition to intervene in the matter.

He recommended authorization to retain the law firm of Goldstein and Tanen to recover costs and attorney fees (estimated to be in excess of \$100,000) incurred during the formal administrative hearing known as Mansosota 88 vs. Manatee County and State of Florida DER; Department of Administrative Hearings Case No. 85-2731; OGC No.85-0806.

Discussion: Expenditure of additional county funds and if possible to collect these funds from Manasota 88.

Disposition: Recommended by Vice-Chairman to place on future agenda.

**INDUSTRIAL DEVELOPMENT REVENUE BONDS; WELLCRAFT MARINE CORP.**

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

**R-86-274** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RELATING TO THE \$3,000,000 INDUSTRIAL DEVELOPMENT REVENUE BONDS, 1982 SERIES, AND THE \$500,000 INDUSTRIAL DEVELOPMENT REVENUE BONDS, 1982-A SERIES (**WELLCRAFT MARINE CORP. PROJECT**), APPROVING THE REMOVAL OF SOUTHEAST BANK, N.A., AS TRUSTEE, PAYING AGENT AND REGISTRAR; APPROVING THE APPOINTMENT OF A SUCCESSOR TRUSTEE; APPOINTING A SUCCESSOR BOND REGISTRAR AND PAYING AGENT; AUTHORIZING PROPER OFFICIALS TO DO ALL THINGS NECESSARY TO EFFECTUATE THE APPOINTMENT OF THE SUCCESSOR TRUSTEE, PAYING AGENT AND BOND REGISTRAR AND THE EXECUTION OF THE BONDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Note: Wellcraft Marine Corp. has become a subsidiary of Genmar Industries, Inc., who desires NCNB National Bank of North Caroline to replace Southeast Bank N.A as holder, Trustee, Paying Agent and Bond Registrar.

RECORD RESOLUTION

S36-37

**AFFIDAVIT FOR ACCESS: RICHARD C. ANDERSON**

Mr. Chetlain moved for approval of Affidavit for Access for Richard Anderson, 8006 17th Avenue West (Lots 5 and 6, Block D, Palma Sola Bay Gardens), Bradenton. Motion was seconded by Mr. McGrath and carried unanimously.

**LEGISLATION: RULE NO. 18-2 (MANAGEMENT OF UPLANDS)**

Motion was made by Mr. Chetlain, seconded by Mr. McGrath and carried unanimously, to authorize the Chairman to send a letter to the Governor and Cabinet opposing Rule No. 18-2, (relating to Management of Uplands Owned by the Board of Trustees and proposed fee structure for leases and subleases for these properties) recommending denial of this rule as written, and requesting the rule clearly state that local governments acquiring State properties, through lease or sublease, for recreational purposes be exempt from the proposed fees associated with revenues and annual lease costs.

**CLERK'S CONSENT CALENDAR**

Upon motion by Mr. Chetlain, seconded by Mr. McGrath, the Clerk's Consent Calendar dated November 18, 1986 was unanimously approved.

**BONDS****Accept:**

Public Deputies Blanket Bond (Sheriff's Department):

Additions

Desrosiers, Tami	Detention C/O
Devine, Tammy	Airport Dispatch
Detrick, Harold H.	Airport Dispatch
Sabine, William	Airport Dispatch
Speciale, Sam	Special Deputy (BBPD)
Stacy, Thurman	Mechanic
Whitaker, Cindy	Airport Security

Deletions

Bailey, Kathleen	School Crossing Guard
Bellamy, Jr., Sylvester	Patrol
Cantolino, Christopher	Patrol
Fletcher, Donna	School Crossing Guard
Adeline Nelson	School Crossing Guard
Nipper, Terry	CID-Persons Section
Peterson, Coy	Corrections Officer
Schock, Carl	School Crossing Guard
Showalter, Donald	Code Enforcement
Struve, Doug	Detention - C/O
Williams, Oley	School Crossing Guard

**BILLS FOR PAYMENT:**

Zoller, Najjar & Shroyer, Inc.		
Change Order 1 - 59th Street Park, Phase III		\$ 64,500.00
Danis-Shook of Florida		
Southwest Regional Wastewater Treatment Plant 19		413,635.00
Southeast Pump Stations & Force Mains 1B2		103,604.40
Camp Dresser & McKee		
Southwest Wastewater Treatment Plant Expansion		59,341.11
CBI Na-Con - 1.0 MM Gal. Fluted Column Tank with Pile Foundation		92,790.00
State Assoc of County Commissioners of Florida, Inc.		
Annual Membership Dues (11/1/86 thru 10/31/87)		5,970.00
Refunds:		
Angela Albright	Safety Seat	10.00
Christine Warber	Safety Seat	10.00
Dorothy Lovette	Safety Seat	10.00
Sue Veile	Animal Cage	20.00
Marie Bradshaw	Rezone (Z-85-111) Withdrawal	597.50
Elizabeth Schmelzer	Class Registration Fee	10.00

**WARRANT LIST**

Approve: November 4, 1986 to November 10, 1986  
 Authorize: November 11, 1986 to November 24, 1986

**MINUTES FOR APPROVAL**

September 11, 16, and 18, 1986

**ACCEPTANCE FOR RECORD**

- 1) Manatee County Fire Marshal Appeals Board 1985-86 Financial Statement/1986-87 Budget
- 2) Canvassing Board Certificate for 11/4/86 General Election from Robert Sweat, Supervisor of Elections. The certificate indicated majority vote on County Referendums as follows:
  - 1) Conditional Approval of Airport Expansion FOR
  - 2) Acquisition of Lands for Airport East of I-75 AGAINST
  - 3) Acquisition of Watershed Lands FOR
  - 4) Manatee Against Drug Abuse FOR

**Correspondence**

- 1) Federation of Manatee County Community Association - Opposing City of Sarasota dumping at Lena Road Landfill Site.
- 2) George A, Roesinger, Board of Trustees, Trailer Estates Park & Recreation District - Requesting action on Traffic control, operation of golf carts on certain roadways.
- 3) Palm View Association - Reporting continued expansion of wildlife compound by Diane and Keith Kerr

November 18, 1986

Cont'd

**APPROVE, RATIFY & CONFIRM:****Contracts, Execution:**

- |  |      |
|--|------|
| 1) Mainstem Corporation for Fleet Command System (Software) including conversion, installation, training and twelve months maintenance (authorized 8/26/86). | 3460 |
| 2) Gator Asphalt Co. for Duette Road Project 3088 \$103,403.97 (authorized 10/21/86).  | 3461 |
| 3) Florida Horizons, Inc. (\$43,047) for Built up Roofing & Flashing System (authorized 10/21/86).   | 3462 |

RECORD CONTRACT FILES**AUTHORIZE EXECUTION OF**

- 1) Partial Release of Special Assessment Liens:
  - Jan L. Hall, Project 5016
  - Margaret Meyer, Project 5012
  - Walter J. & Rose Marie Hart, Project 5014
  - Edward & Carol M. Mueller, Project 5019
- 2) Recapitulation Sheet 1985 Tax Roll (Errors, Double Assessments, Discounts & Insolvencies)

**G. T. BRAY PARK; RACQUET AND TENNIS CLUB MEMBERSHIP FEES**


Mr. Chetlain reported that the membership fee for single persons at the G. T. Bray racquet and tennis club are discriminatory in relation to family membership fees and requested staff to make a recommendation.

**MEETING ADJOURNED**

There being no further business, the meeting was adjourned.

Attest:

APPROVED:

  
 Clerk

  
 Chairman (11/27/86)

Adj: 1:12 p.m.