

JUNE 13, 1989

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Bradenton Financial Center, 1401 Manatee Avenue West, Bradenton, Florida, Tuesday, June 13, 1989, at 9:17 a.m.

Present were Commissioners:

Patricia M. Glass, Chairman
Edward W. Chance, Vice-Chairman
Kathy A. Snell, Chairman Pro Tem
Kent G. Chetlain

Absent was Commissioner: Maxine M. Hooper

Also present were:

August V. Ellis, 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 Ronald Baker, Bradenton Christian Reformed Church.

The meeting was called to order by Chairman Glass.

All witnesses/staff giving testimony were duly sworn.

PRESENTATIONS - GE MOBILE COMMUNICATIONS/GEORGE LUBBEN

James Markham, Russ Prindle, Patricia Murphy and George Fath representing GE Mobile Communications, a subsidiary of the General Electric Company, presented the following items in appreciation of George Lubben's role as Telecommunications Department Director in Beta testing the 800 MHz Trunked Radio System:

- = Equipment to expand Manatee County's East Tower site from four to ten channels including six 100-watt repeater stations, additional combiner cavities and cable (approximate value \$72,462)
- = Lighted scene of a modern city with notation "Manatee County Committed to the Future"
- = A plaque noting appreciation to the County, under the direction of George Lubben, for the opportunity to test the GE "16 Plus Trunking System"

Later in the meeting, Sheriff Charles B. Wells, praised Mr. Lubben for his initiation and support of the "911"/"800" System, which he pioneered in Manatee County.

PROCLAMATIONS

Upon motion by Ms. Snell, seconded by Mr. Chetlain, a Proclamation was unanimously adopted designating June 13, 1989 as "George Lubben Day" in Manatee County.

Mr. Lubben was present to accept the Proclamation.

RECORD S38-1373

AWARDS

Walt Piff, Public Works, presented Billy V. Adkison a Certificate of Merit and a \$25 cash award for the suggestion to perform fuel tests on County vehicles being serviced to identify problems early and avoid unnecessary repairs.

PROCLAMATIONS

Upon motion by Mr. Chetlain, seconded by Mr. Chance, a Proclamation was unanimously adopted designating June 18, 1989 as "Beef for Fathers Day" in Manatee County.

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Present to accept the Proclamation were Joyce Coddington, Jane Slaughter and Jay Duke representing the Cattlewomens and Cattlemens Associations.

RECORD S38-1374

COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mr. Chetlain, seconded by Mr. Chance, the County Administrator's Consent Agenda for June 13, 1989 was unanimously approved. Items APPROVED:

DEEDS & EASEMENTS

15th Street East/Samoset-Oneco Sewer Project - Utility Easements (2), Affidavit of Ownership/Encumbrances (2) from Rosario Davi and Dennis Stripling; Joinders (2) from Coast Federal Savings & Loan Association.

SAMOSET-ONECO SANITARY SEWER PROJECT

Execution of Contracts for Sale and Purchase with:

1. David C. and Bonnie L. Profant for Utility Easement, Project 5147, Parcel S03-02 and S03-12, \$3,963. RECORD S38-1375
2. L.H. Glasgow for Utility and Temporary Construction Easements, Project 5147, Parcel S07-01 & S07-02, \$11,604. RECORD S38-1376
3. Robert D., Jr. and Rose Marie Walker for Utility and Temporary Construction Easements, Project 5147, Parcel S10-04A, S10-10 and S10-11, \$5,955. RECORD S38-1377
4. Imogene McLeod for Utility and Temporary Construction Easements, Project 5148, Parcel II-13A and 12A, \$15,904.50. RECORD S38-1378
5. Larrie E. and Jerlene E. Muncie for Utility Easement, Project 5148, Parcel II-15, \$1,770. RECORD S38-1379
6. Zoller & Zoller Investments for Utility Easement, Project 5148, Parcel II-10A, \$11,644. RECORD S38-1380
7. James M. Williams for Utility Easement, Project 5148, Parcel II-26, \$607. RECORD S38-1381
8. Virgil W. and Willie Mae Meeks for Utility Easement, Project 5148, Parcel II-4, \$1,556. RECORD S38-1382
9. Beatrice Marvin for Utility Easement, Project 5148, Parcel DIV II-24, \$2,322. RECORD S38-1383
10. Louis Amaducci for Utility Easement, Project 5147, Parcel S06-07 and S06-08, \$4,870. RECORD S38-1384
11. Agora Inc. for Utility and Pump Station Easements, Project 5147, Parcel S7-7 and PS7, \$6,510. RECORD S38-1385
12. Elizabeth G. Winheim for Utility Easement, Project 5147, Parcel S04-06 and S04-07, \$14,759. RECORD S38-1386
13. John J. and Esther E. Gregg for Utility Easement, Project 5147, Parcel S03-03, \$1,570. RECORD S38-1387
14. Kent R. Morris for Utility Easement, Project 5147, Parcel S10-05 and S10-06, \$3,137. RECORD S38-1388
15. Wanda K. Howard for Utility Easement, Project 5147, Parcel S03-01 and S03-22A, \$9,885. RECORD S38-1389
16. Louis D. Figari for Utility and Temporary Construction Easements, Project 5147, Parcel S08-05 and S08-09, \$25,807. RECORD S38-1390
17. Richard Anthony and Shirley Rose Schappacher for Utility Easement, Project 5147, Parcel S03-19, \$3,140. RECORD S38-1391
18. Oneco Methodist Church, Inc. for Utility Easement, Project 5148, Parcel II-22, \$732. RECORD S38-1392
19. James Hardy and Beverly Ann Eason and James Russell Eason for Utility and Temporary Construction Easement, Project 5147, Parcel S03-21, \$2,634. RECORD S38-1393
20. Harvey W. and Gloria F. Thompson for Utility Easement, Project 5147, Parcel S10-07B and S10-12A, \$2,566.05. RECORD S38-1394
21. Leo and Helen Decker for Utility Easement, Project 5147, Parcel S06-06, \$2,730. RECORD S38-1395
22. James M. and Mary J. Ray for Utility Easement, Project 5148, Parcel II-2, \$2,759. RECORD S38-1396
23. Donald C. and Emma L. Mathews for Utility Easement, Project 5148, Parcel II-1A, \$2,395. RECORD S38-1397
24. Cleo Harris for right-of-way, Project 5147, Parcel S04-09A, \$4,263. RECORD S38-1398
25. Harry Bakker and Betty Bakker for Utility and Temporary Construction Easements, Project 5147, Parcel S07-03 and S07-04, \$736. RECORD S38-1399

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26. Daniel C. and Elizabeth C. Callaghan for 3 Utility and Temporary Construction Easements, Project 5147, Parcel S8-6/7/8/10/11/12, \$4,986. RECORD S38-1400
27. Dorothy E., C. Gary and Susan O. Putnal for Utility and Temporary Construction Easements, Project 5147, Parcel S10-01A and S10-13, \$2,405.93. RECORD S38-1401

CENTRAL SERVICES

1. **Standardized Office Automation Equipment** - Negotiate sole source purchase of WorkSavers for the County Administrator and Public Works/Recycling from NCR Corp., \$10,400.
2. **Defibrillator/Monitor with Pacemaker and Battery Support** - Sole source purchase from Physio-Control Co., for Emergency Medical Services, \$9,685.
3. **Supplemental Surveying Services** - Execution of contract with Lombardo & Skipper, Inc. on a unit price as required basis (Certificate of Insurance); and authorized contract negotiations with 2nd ranked firm, George F. Young, Inc.

RECORD S38-1402

PERSONNEL

1. Special Sick Leave Credits of 122.50 hours for Elizabeth Benac, Planning and Zoning Department.
2. Layoff of Ellen Wile, Public Relations Coordinator, Planning and Zoning Department, effective September 1, 1989.

(End Consent Agenda)

SHERIFF - BAILIFFS

Charles B. Wells, Sheriff, stated that seven new Courthouse bailiffs were necessary due to added courtrooms/cases/judges and required enhancement of security throughout the Courthouse, i.e., television monitoring system, metal detector for Juvenile Court and juvenile lock-up in the basement.

Major Richard Ference, Sheriff Department, requested approval of a budget amendment for \$40,570 to cover the cost of the bailiffs for the remainder of the fiscal year.

Present to answer questions were Chief Judge Gilbert Smith and Ty Berdeaux, Court Administrator.

Discussion: Amount budgeted for next year (\$160,000); qualifications of bailiffs; part-time bailiffs; obtaining additional judges; emergency funding, etc.

Ms. Snell moved to allocate money for the hiring of seven additional full-time bailiffs to the Sheriff's budget from the contingency. Motion was seconded by Mr. Chetlain and carried unanimously.

FLOODPLAIN MANAGEMENT CODE AMENDMENT

Michael Latessa, Public Safety Director/Federal Emergency Management Agency Coordinator, advised that an emergency amendment to Ordinance 89-10 is necessary to define "Building Elevation" and amend Section 104.95 of the Floodplain Management Code.

Paul Bangel, Assistant County Attorney, advised that an emergency regarding flood insurance in the County continues to exist. He recommended the Board, by four-fifths vote, waive the notice requirements of FS 125.66(2) (notice requirements) and adopt

ORDINANCE 89-42 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE NO. 89-10, THE MANATEE COUNTY FLOODPLAIN MANAGEMENT CODE; REVISING THE DEFINITION OF "ELEVATED BUILDING"; PROVIDING A TIME LIMIT FOR VARIANCES; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Motion - Emergency

Motion was made by Mr. Chetlain, seconded by Ms. Snell and carried unanimously (4-0 vote) declaring the emergency (from May 16, 1989) continues to exist and an immediate amendment of the Floodplain Management Code is necessary.

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Motion - Notification Waiver

Motion was made by Ms. Snell, seconded by Mr. Chance and carried unanimously (4-0 vote) to waive the normal notification requirements.

Motion - Ordinance 89-42

Motion was made by Mr. Chance, seconded by Ms. Snell and carried unanimously (4-0 vote) to adopt Ordinance 89-42 amending 89-10.

RECORD S38-1403

CIVIC CENTER AUTHORITY

August V. Ellis, County Administrator, recommended the Board appoint one member to the Civic Center Authority to represent the incorporated area. The appointee will complete an unexpired four-year term to expire January 1, 1991. He advised that eleven applications were received.

Nominations:

Ms. Snell	-	R. Richard Boivin
Mr. Chance	-	Donald L. Brittain
Mr. Chetlain	-	Freeman H. Stittsworth

Discussion: U.S. citizenship requirement.

Ms. Snell moved to defer to a full board next week (6/20/89). Motion was seconded by Mr. Chetlain and carried unanimously.

63RD AVENUE EAST (SAUNDERS ROAD) WIDENING

H. Hamilton Rice, Jr. County Attorney, recommended execution of a Relocation Agreement with Seminole Gulf Railway, L.P. for the relocation of existing signalization equipment (along with necessary trackage improvements) at the railroad crossing on 63rd Avenue East associated with the widening of 63rd Avenue East.

Mitchell O. Palmer, Assistant County Attorney, was present to answer questions.

Motion was made by Mr. Chance, seconded by Ms. Snell and carried unanimously, to approve the recommendation.

RECORD S38-1404

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Chetlain, seconded by Ms. Snell, the Clerk's Consent Calendar dated June 13, 1989 was unanimously approved:

BONDS

Accept:

Sheriff's Public Deputies Blanket Bond Fidelity & Deposit Company of Maryland, Policy No. 9397030

Additions:

Black, Barbara	-	Booking Clerk
Brown, David	-	Corrections Officer
Groover, Sandra	-	Booking Clerk
Hutto, Danny	-	Reserves
Johnson, Timothy	-	Patrol
Miller, Ronald	-	Reserves
Scarborough, William	-	Communications Specialist
Sweetman, Jamie	-	C.I.D. Receptionist (reinstate)
Berthold, Juergen	-	Special Deputy (Eff. 5/01-05/89)
Clark, William	-	Special Deputy (Eff. 5/01-05/89)
Dengler, Julius	-	Special Deputy (BBFD)
Goodbee, Gerald	-	Special Deputy (Aux. Status-MCSO)
Shoemaker, Steven R.	-	Special Deputy (Eff. 5/01-05/89)
Welker, Martin	-	Special Deputy (Eff. 5/01-05/89)

Deletions:

Briggs, Scott	-	Patrol Deputy - S.E.U.
Gill, Richard	-	Bailiff
Hurst, Wayne	-	School Crossing Guard
Sweetman, Jamie	-	C.I.D. Receptionist
Thomas, Sarah	-	School Crossing Guard
Thrower, Margaret	-	Volunteer Victim Advocate
Sparks, James	-	Patrol (Declined Position)

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Caldwell, John	-	Special Deputy (SSO)
Capista, Lee G.	-	Special Deputy (BPD)
Sherrod, Alan D.	-	Special Deputy (BPD)
Wolfe, Michael	-	Special Deputy (BPD)
Carl, Eleanor	-	Corrections Officer
Gow, Robert	-	1/Sgt. - Bailiff
Benoit, Larry	-	Corrections Officer
McCraw, Anita Sue	-	Communications Specialist

BILLS FOR PAYMENT

Carlton, Fields et al - FL Federal v. M/C (State action)	\$	4,955.34
Carlton, Fields et al - FL Federal v. M/C (Fed action)		410.00
Carlton, Fields et al - Kuehnelt v. M/C		67.50
Lane, Trohn et al - Hoeppner v. Epps, et al		872.60
Florida Land Design & Engineering - Land Development Code		1,140.00
Camp Dresser & McKee - Engineer Srvs/Work Task Series		1,774.84
Camp Dresser & McKee - Engineer Srvs/1988 Wtr-Sewer Rev Bnds		1,644.82
Camp Dresser & McKee - Req 3, Efflu Reuse Study		10,578.06
Larson Engineering, Inc. - Inv 5565-5569/N County Imprvmts		45,518.64
Lombardo & Skipper Inc. - 63rd Ave E/Engineering Srvs		1,463.25
Midwest Industrial Painting - Water Tank Rehab/Imprvmts		119,092.50
U.S. Coast Guard Aux 82 - Req 1, WCIND Funds		3,235.75
Westco Builders, Inc. - Pynt 26, Administrative Complex		702,350.00
Westra Construction - Req 1, 63rd Ave E Coll Sys		64,567.53
Municipal Code Corp. - Code of Ord Suppl No. 14 (100)		712.02
The Bradenton Herald - Notice of Special Election (6/27/89)		386.00

REFUNDS

Independent Aluminum Products - Permit Appl denied		112.50
James M. LaPensee - Plumbing Permit issued by wrong dept		45.00
Williams A. Bentz - Driveway Permit		105.00
Robert Ledwith - Handi-Bus Monthly Work Pass		88.08
Marianne Sander - Park Facility Reservation		10.60
Manatee Youth for Christ - Park Reservation		10.00
Mr. & Mrs. L. McVay - Park Reservation		10.60
Laurence Troxell - McDill AFB Trip		46.00
Margaret Leys - McDill AFB Trip (Hilda Nelson)		18.00
Taylor Woodrow Construction Corp. - Roll-off Dumpster		173.74
Eurie Bruce - Ambulance Overpayment		25.47
Elizabeth Bruswick - Ambulance Overpayment		97.76
Estate of Celeste Buttner - Ambulance Overpayment		45.80
Estate of Harley Casper - Ambulance Overpayment		161.80
Edward Cronin - Ambulance Overpayment		117.15
William Koeller - Ambulance Overpayment		83.00
Cleara Lovett - Ambulance Overpayment		25.00
Catherine Piliero - Ambulance Overpayment		17.74
Donald Richardson - Ambulance Overpayment		140.26
Ethelyn Richman - Ambulance Overpayment		39.80
Florence Seifert - Ambulance Overpayment		20.28
Mildred Smith - Ambulance Overpayment		18.24
Estate of Anton Whitaker - Ambulance Overpayment		21.28
Deborah A. Harp - Safety Seat		20.00
Carol Hunt - Safety Seat		10.00
Laurie Morin - Safety Seat		20.00
Phyllis Stevens - Safety Seat		20.00
Cynthia Weimer - Safety Seat		20.00
Janet Kelly - Safety Seat		20.00

WARRANT LIST

Approve: June 6, 1989 to June 12, 1989
 Authorize: June 13, 1989 to June 19, 1989

MINUTES FOR APPROVAL

April 13, 1989 and April 18, 1989

AUTHORIZE CHAIRMAN TO SIGN**Authorization for Payment of Taxable Costs:**

Ralph J. Mattice - State v. Nancy E. Schierhoff	118.00
- State v. Bruce Tilton	115.00
- State v. Ronald Davidson	128.50
Preston DeVilbiss, Jr. - Re: Interest of T.S., a child	111.75

Partial Release of Special Assessment Lien

Project 5080 (1)

Report of Expenditures/Contributions

Shared County/State Health Care Program (Indigent Care) with the
Department Health and Rehabilitative Services

Tenant Estoppel Certificate (Approved 5/9/89)

Lease with Bradenton Financial Center, Inc., 5th & 6th Floors,
expiration date (year) correction (initial only)

RECORD S38-1405

ACCEPT**One-cent Sales Surtax/Jails**

The Bradenton Herald Notice of Special Election (6/27/89) for
referendum on Ordinance 89-28 imposing a four-year one-cent
Countywide sales tax

ACCEPT/AUTHORIZE REPLACEMENT**Municipal Bond**

Accept: Bond (Unlimited Liability) No. 143913-148 (Seaboard
Surety Company)

Authorize: Citibank, NY to reissue Manatee County, Florida
Community Redevelopment Revenue Bond, Series 1987 8.10% (BMTF) Bond
No. R-2079 for \$100,000 P.A. r/n/o Daniel A. & B. Mary Nellis and
deliver to Smith, Barney, Harris, Upham & Co. Inc.

PERSONNEL

The County Attorney advised that Jeffrey N. Steinsnyder will be
employed as an Assistant County Attorney on July 10, 1989. He
recommended that up to 302 Sick Leave Credits, accrued while employed
by Florida Department of Community Affairs, be transferred to the
County sick leave balance.

Motion was made by Mr. Chetlain, seconded by Ms. Snell and carried
unanimously, to approve the request.

Recess/Reconvene. All members present except Mrs. Hooper.

CITIZENS' COMMENTS

One-cent Sales Surtax - Commissioner Charles Loiselle, Longboat Key,
reported on meeting with municipalities (6/12/89); requested the Board
and County officials meet with municipalities at the Bradenton City
Hall (6/16/89 at 10:00 a.m.) to answer questions.

Telecommunications/Computer Systems - Charles Loiselle requested
Interlocal Agreements for shared use by Longboat Key.

Disposition: Referred to the County Administrator.

ONE-CENT SALES SURTAX - INFORMATION MEETING

The Board concurred with Mr. Loiselle's request to meet with the
municipalities to encourage support of the one-cent sales surtax and
its specific use.

Motion was made by Ms. Snell to reschedule the meeting for next week
in order to have better representation, including members of the
Correction Advisory Board, and to allow the cities more time for
preparation. Motion was seconded by Mr. Chetlain and carried
unanimously.

Disposition: Mr. Ellis and Mr. Loiselle to set date.

ELECTIONS - SINGLE MEMBER DISTRICTS/PRECINCT BOUNDARIES

Following discussion that recent redesigning of precincts had resulted
in precinct boundaries cutting through district lines, motion was made
by Mr. Chetlain authorizing a letter to Mr. Sweat, Supervisor of
Elections, requesting conformity of the district lines with
corrections to be brought back for Board approval. Motion was
seconded by Ms. Snell and carried unanimously.

PROCLAMATION - MABRY CARLTON

Motion was made by Mr. Chance authorizing preparation of a
Proclamation honoring Mabry Carlton, Sarasota County Commissioner,
recently killed in a plane crash. Motion was seconded by Mr. Chetlain
and carried unanimously.

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PITTSBURGH PIRATES FACILITIES

Mr. Chetlain reported on the meeting he attended with the Chamber Task Force in Pittsburgh (6/9/89) to discuss new/upgraded facilities in Bradenton.

LAWSUIT SETTLEMENT: PHILIP A. DAVIS V. MANATEE COUNTY ET AL

Motion was made by Mr. Chance and seconded by Ms. Snell, to place approval/execution of the settlement agreement between Philip A. Davis and the County on a future agenda.

Discussion: Placing on agenda Thursday, June 15, 1989.

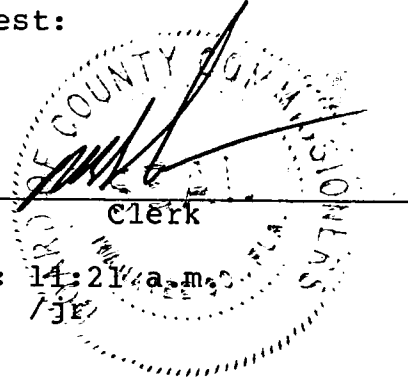
Motion carried unanimously.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:


Clerk
Adj: 14:21 a.m.
7/3/89


Chairman 8/1/89