

JULY 11, 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, July 11, 1989, at 9:06 a.m.

Present were Commissioners:

Edward W. Chance, Vice-Chairman
 Kathy A. Snell, Chairman Pro Tem
 Kent G. Chetlain
 Maxine M. Hooper
 Patricia M. Glass, Chairman entered during the meeting

Also present were:

August V. Ellis, County Administrator
 Tedd N. Williams, Chief Assistant County Attorney
 Susan G. French, Deputy Clerk, representing
 R. B. Shore, Clerk of Circuit Court

Representatives of the various news media were present.

Invocation by Reverend Lewis George, Central Christian Church.

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

All witnesses/staff giving testimony were duly sworn.

PROCLAMATIONS

A Proclamation designating "Father Jim Nugent Day", was continued to July 18, 1989.

EMPLOYEE OF THE MONTH

A Meritorious Service Award was presented to Ron DeNeve, Systems Coordinator for the Development Management Department, as July Employee of the Month.

COUNTY ADMINISTRATOR'S CONSENT AGENDA

Upon motion by Mr. Chetlain and seconded by Ms. Snell, the County Administrator's Consent Agenda dated July 11, 1989, was unanimously approved with the deletion of 1) Change Order No. 1 with Suburban Propane for liquid gas; 2) Bid to P.O.M., Inc. for parking meters; 3) R-89-143 providing for EMS occupancy of the Quattlebaum Estate Guest House (separate actions). Items APPROVED:

DEEDS & EASEMENTS

1. **63rd Avenue East/Old U.S. 301 to U.S. 301** - Warranty Deed, Temporary Construction Easement, Affidavit of Ownership/Encumbrances from Copher & Rutherford Properties; Partial Release from Acres of Auto Parts for right-of-way.
2. **SR 70/33rd Street East (Manatee Town Center)** - Warranty Deed, Utility Easements (2), Affidavit of Ownership/Encumbrances from Oneco Properties Ltd.; Partial Release, and Joinders (2) from First Union National Bank for right-of-way and access.
3. **34th Street/53rd Avenue West** - Quit-Claim Deed, Easement, Affidavit of Ownership/Encumbrances from the Boy's Club of Manatee County; execution of Subordination of Utility Interests Form with FP&L Company; Partial Release from Kiwanis Club of Bradenton for right-of-way.
4. **71st Street/15th Avenue East, Rubonia** - Utility Easement, Affidavit of Ownership/Encumbrances from Forestine and Roosevelt Dunbar, Jr.; Joinder from Goldome Realty Credit Corp. for installation of a gravity sewer line. RECORD S39-87
5. **71st Street/15th Avenue East, Rubonia** - Utility Easement, Affidavit of Ownership/Encumbrances from Rosalyn D. Williams; Joinders from NCNB National Bank and AVCO Financial Services for installation of a gravity sewer line.
6. **69th Avenue/11th Street West** - Utility Easement, Affidavit of Ownership/Encumbrances from Paul M. and Louise Vest; Joinder from First National Bank for lift station encroachment.

7. **57th Avenue/9th Street East** - Warranty Deed, Affidavit of Ownership/Encumbrances from Daniel Joseph Olson; Partial Release from Savings of America for right-of-way.
8. **River Run Blvd/South of SR 70** - Warranty Deeds (3), Affidavits of Ownership/Encumbrances from Manatee Joint Venture and the School Board of Manatee County; Partial Release of Mortgage from Barnett Bank of Manatee County for right-of-way.
9. **63rd Avenue East/U.S. 301** - Corrective Warranty Deed, Corrective Affidavit of Ownership/Encumbrances from James D. Haney for right-of-way.
10. **Twin Isles Estates** - Utility Easement, Affidavit of Ownership/Encumbrances from Terry J. and Paula M. Topjun; Joinder from Chemical Financial Corporation for a water line.

SAMOSSET-ONECO SANITARY SEWER PROJECT**Execution of Contracts for Sale and Purchase with:**

1. Dan S. Blalock for Utility and Temporary Construction Easements, Project 5147, Parcel S07-05 and S07-06, \$1,840. RECORD S39-88
2. Edwin Norman and Anna H. Wilson for Utility Easement, Project 5148, Parcel DIV II No. 25, \$2,627. RECORD S39-89
3. Brian and Carmen G. Perseault for Utility Easement, Project 5148, Parcel DIV II No. 23, \$1,699. RECORD S39-90
4. Sunshine State Broadcasting Company, Inc. for Utility Easement, Project 5147, Parcel S05-02A and S05-PS5, \$6,392. RECORD S39-91

BUFFALO CREEK GOLF COURSE - EASEMENT

Execution of Utility Easement (10') to Florida Power & Light Company to relocate a span guy and anchor for the proposed entrance road to the clubhouse.

AFFIDAVIT FOR ACCESS

1. Gary & Linda Moore, Willow Shores Subdivision.
2. Brian Preseault, Winter Gardens, Unit 2.

ORDINANCE - SPEED LIMIT

Authorization to set Public Hearing on Ordinance 89-43, to prohibit speeding on 39th Street East and 63rd Avenue East.

FEE WAIVER

Roll-off bin and waiver of Landfill fees for the Southeast County Residents Association Area Cleanup and Youth Festival on July 29, 1989, at Blanche Daughtery Elementary School.

CENTRAL SERVICES

1. **Repowering Bluebird Buses** - Award bid to RingPower Corp., for engine/transmission installation, \$30,980; plus \$900 for pickup (tow-in) and delivery of buses to vendor's shop; and \$200 for pickup/delivery of engines and transmissions to vendor's shop, total not to exceed \$32,080. (Funded 10% Local, 10% State and 80% UMTA).
2. **Telescoping Boom Excavator (replacement)** - Award bid to Great Southern Equipment Co., \$106,830.
3. **Pest Control Services** - Award bid to Thumb Pest Control, on an as required unit price basis.
4. **HVAC Remodeling/Public Works Admin Building** - Award bid to United Mechanical, Inc., (mechanical contractor) for \$91,000; and Applied Conservation Systems, Inc., (controls contractor) for \$33,948, total not to exceed \$124,948; subsequent execution of contracts and simultaneous dating of performance/payment bonds.

EAST BRADENTON PARK IMPROVEMENTS

Execution of Change Order 1 to Supplemental Work Authorization 10 with Gee & Jenson, Engineers, Architects, Planners, Inc. for an increase of \$2,250 for additional consulting services to develop visual aids (adjusted contract \$10,552).

RECORD S39-92

DOWNTOWN TRANSIT HUB

Execution of final Change Order 1 with American Construction Management, Inc. for a \$5,350.50 decrease (adjusted contract \$103,820.43); acceptance of Warranty of Title, Final Release of Lien, Certification of Contractor, Affidavit, Power of Attorney (Southeastern Casualty and Indemnity) and Consent of Surety.

RECORD S39-93

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(Cont'd)

G. T. BRAY PARK

Execution of Agreement with American Red Cross to construct a parking lot adjoining their facility on a portion of property leased by the County from the City of Bradenton (no cost to County).

RECORD S39-94

SURPLUS PROPERTY

Adoption of

R-89-146 RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER 125.38, FLORIDA STATUTES conveying excess computer/electronic equipment to Manatee Area Vocational and Technical Center.

RECORD S39-95

LIBRARY - TELEFACSIMILE NETWORK

Execution of FY88/89 Interlibrary Cooperation and Resource Sharing Grant Agreement with State Library and Information Services for \$1,900.

RECORD S39-96

CHILD SUPPORT HEARING OFFICER

Execution of funding agreement with the Health and Rehabilitative Services for expense reimbursement, not to exceed \$27,635, (7/1/89-6/30/90)

RECORD S39-97

BUDGET AMENDMENTS

Adoption of Resolutions amending the 19⁸⁸1-89 budget to provide for the receipt and appropriation of unanticipated revenues, revenues anticipated, but not received and item transfers:

SUBSTANCE ABUSE

(B-89-205/1)

Increase Revenue/Expenditures

Ad valorem Taxes/Medical Services

\$795,831

RECORD S39-98

GENERAL FUND

(B-89-205/2)

Decrease Revenue/Expenditures

Ad valorem Taxes/Medical Services

\$795,831

RECORD S39-99

GENERAL COUNTY

(B-89-206)

Item Transfers: Life/Health/Dependent Insurance; Temporary Employees; Overtime; Regular Salaries; FICA; Reserves; Retirement; TO County Commissioners; County Administrator Circuit Court; DIS; Purchasing; Materials/ Services/Grounds Maintenance; Energy Management; Central Svs/Courier; Building Maintenance; Central Services Admin; Court Reporter; Information Center; Construction Design; Personnel; Probation Admin; Agriculture; Soil Conservation; Parks; Recreation; Road District I & III; Road Gang; Engineering; Construction Operations; Drainage; Aquatic Weed Control; Land Acquisition; Library Administration/Talking Books; PBR Racquet Center; Utilities Administration/Accounts Receivable/Customer Service/Planning & Environmental/Engineering/Water Treatment/Meter Section/Water Transmission/Sewer Plant/Lab/Lift Stations/Collections/Maintenance; Golf Course/Club House/Snack Bar; Landfill Operations; Solid Waste Billing; Motor Pool; Small Engine Repair; Risk Management; Eaton Research Grant.

\$1,227,032

RECORD S39-100

(End Consent)

ANIMAL CONTROL

David Rothfuss, Assistant County Administrator, stated that unanticipated increases for animal disposal have resulted in a request to issue Change Order 1 to Suburban Propane for liquid petroleum incinerator gas in the amount of \$3,500 (total not to exceed \$12,200).

Motion was made by Mr. Chetlain, seconded by Mrs. Hooper and carried unanimously, to continue the matter for more information.

ADMINISTRATIVE CENTER - PARKING METERS

Mr. Rothfuss advised that pursuant to an Interlocal Agreement, Section 4.3 (3/14/89), the County would purchase/install 70 general public short-term parking meters for the Administrative Center. The City of Bradenton would collect revenues and maintain the meters.

Discussion: City paying for meters.

Motion - Failed

Motion was made by Mr. Chetlain and seconded by Mrs. Hooper not to accept the bid for \$17,524.96 from P.O.M., Inc. for parking meters. Voting "Aye" was Mr. Chetlain. Voting "Nay" were Ms. Snell, Mrs. Hooper and Mr. Chance. Motion failed.

Motion - Approve Bid

Motion was made by Ms. Snell and seconded by Mrs. Hooper to award bid to furnish 126 (bid was for 70) parking meters in the Administrative Center to the lowest responsive bidder, P.O.M, Inc., for \$17,524.96. Voting "Aye" were Mrs. Hooper, Ms. Snell and Mr. Chance. Voting "Nay" was Mr. Chetlain. Motion carried.

QUATTLEBAUM ESTATE GUEST HOUSE - EMERGENCY MEDICAL SERVICES

Following discussion, motion was made by Mrs. Hooper, seconded by Ms. Snell and carried unanimously to adopt

R-89-143 A RESOLUTION PROVIDING FOR THE OCCUPANCY, OPERATION AND MANAGEMENT OF THE "QUATTLEBAUM ESTATE GUEST HOUSE," AS PROPERTY SUBJECT TO CERTAIN COVENANTS AND RESTRICTIONS ARISING OUT OF THE ISSUANCE OF WATER AND SEWER REVENUE IMPROVEMENT BONDS AND REFUNDING BONDS.
(Emergency Medical Services shall pay Public Utilities Division/Public Works \$300 monthly, beginning August 1, 1989, to use the guest house for the purpose of operating and maintaining a substation and related activities.)

RECORD

SHERIFF - LAW ENFORCEMENT TRUST FUND

Ms. Snell moved authorization to expend \$20,000 from the Law Enforcement Trust Fund to defray the costs of protracted and complex drug investigations. Motion was seconded by Mrs. Hooper and carried unanimously.

AGRONOMY CONSULTANT - PARKS & RECREATION

Motion was made by Ms. Snell to authorize entering into contract negotiations with the top ranked firm, Daniel B. Morgan, Brandon, FL. in accordance with RFP 899008 Agronomy Consultant for comprehensive planning in all phases of turf, grass/lawn and shrub maintenance/care for the athletic fields, golf courses and parks. Motion was seconded by Mrs. Hooper and carried unanimously.

PROPERTY APPRAISER - OFFICE SPACE

Frank Perkins, Property Appraiser, requested 2400 square feet of additional office space needed as a result of County population growth, storage of hard copy information, computer work areas and development of the Land Information System.

Discussion: Use of vacant space in Administrative Center; vacated County facilities; locate close to computer system; temporary facility; immediate need; renting in Professional Building; future removal of existing temporary structure; cost, etc.

Disposition: Staff to look for available space in the Administrative Center, determine costs and bring back to the Board in two weeks; review the request during budget hearings.

(Enter Mrs. Glass during discussion; Mrs. Glass presiding)

INTERGOVERNMENTAL AFFAIRS COMMITTEE

Mr. Ellis stated that during a joint meeting (6/22/89) with the Mayors of County municipalities, the concept of an Intergovernmental Committee was discussed. The purpose of the committee would be to establish a closer liaison in communications with the municipalities and to address/resolve current/future needs of the community.

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Speaking in favor of establishing the committee were:

Mayor Simches, City of Anna Maria
Councilman Fred Runnells, City of Bradenton
Mayor Olmstead, City of Palmetto
Mayor Thompson, City of Holmes Beach
Vice-Mayor Dreyfus, Town of Longboat Key

Discussion: Florida League of Cities; participation planning; Correctional Planning Committee/legislation allowing a voting member from municipalities; improving communications; resolving mutual problems; notifying municipalities of Correctional Planning meetings; steps to create the Intergovernmental Affairs Committee.

CORRECTIONAL PLANNING COMMITTEE

Mr. Rothfuss advised that the Correctional Planning Committee has the authority to appoint non-voting ex officio members to the Committee. He suggested the Board recommend to the Committee that it approve membership for Mayors or designees.

Disposition: Invite Mayors/designees to next meeting to decide if they wish to be members in this capacity and advise the Board of decision.

Elliott Metcalf, Public Defender, invited representatives of the municipalities to attend the meetings.

Recess/Reconvene. All members were present.

PORT MANATEE

Captain B. Record, Greater Tampa Bay Marine Advisory Council, requested a specific date when the navigational ranges (height) into Port Manatee would be increased/raised.

Disposition: Place on Port Agenda; advise date.

ORDINANCE 89-34 - ANIMAL CONTROL

Public Hearing (continued from 6/6/89) was opened to consider

ORDINANCE 89-34 AN ORDINANCE OF MANATEE COUNTY, FLORIDA, PROVIDING FOR ANIMAL CONTROL; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE DIVISION OF ANIMAL CONTROL; REQUIRING THE VACCINATION OF DOGS AND CATS AGAINST RABIES AND THE LICENSING OF DOGS AND CATS; PROVIDING FOR LICENSING AND TAG FEES; PROHIBITING ANIMALS FROM RUNNING AT LARGE; PROVIDING FOR CONFINEMENT DURING HEAT; PROHIBITING DOGS OR CATS IN PARKS AND ON BEACHES; PROVIDING FOR THE IMPOUNDMENT OF ANIMALS; PROVIDING FOR A HOLDING PERIOD; PROVIDING FOR THE ADOPTION AND REDEMPTION OF ANIMALS; PROVIDING FOR THE ESTABLISHMENT OF FEES FOR THE BOARDING AND CARE OF ANIMALS; PROVIDING FOR THE DISPOSITION OF UNCLAIMED ANIMALS; PROHIBITING DOGS FROM CAUSING INJURY TO PERSONS, PROPERTY OR ANIMALS; PROHIBITING THE ABANDONMENT OF ANIMALS; PROHIBITING THE FAILURE TO RESTRAIN VICIOUS ANIMALS; PROVIDING FOR IMPOUNDMENT, HEARINGS AND DISPOSITION OF VICIOUS ANIMALS; PROHIBITING CRUELTY TO ANIMALS; PROVIDING FOR ANIMALS IN A STATE OF PAIN OR SUFFERING; PROHIBITING CONFINEMENT OF ANIMALS IN UNATTENDED VEHICLES; PROHIBITING TRANSPORTATION OF ANIMALS IN OPEN VEHICLES; PROHIBITING THE KEEPING OF NUISANCE ANIMALS; PROVIDING FOR PICKING UP OR TRAPPING ANIMALS; PROHIBITING THE INTERFERENCE WITH ANIMAL CONTROL OFFICERS; PROVIDING FOR THE REPORTING OF BITES FROM ANIMALS; PROHIBITING THE REFUSAL TO SURRENDER A BITE ANIMAL FOR QUARANTINE; PROVIDING FOR DUTIES AND AUTHORITY OF ENFORCEMENT OFFICERS; PROVIDING FOR CIVIL CITATIONS FOR VIOLATIONS; PROVIDING FOR FORM OF CITATION AND NOTICE; PROVIDING FOR PROCEDURES FOR ENFORCEMENT UPON CITATION; PROVIDING FOR CIVIL PENALTIES FOR VIOLATION; PROVIDING FOR APPLICABILITY; PROVIDING FOR THE REPEAL OF COUNTY ORDINANCE 80-7 AND COUNTY ORDINANCE 81-11; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

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Patricia McVoy, Assistant County Attorney, submitted/addressed a draft of Ordinance 89-34, reflecting technical revisions and clarifications discussed in the Public Hearing on June 6.

Speaking in favor of the Ordinance were: Marlaine Kuhn, Paul Witte and Kay Neilsen.

Items addressed: Collars for cats; fines; confinement of vicious animals; impoundment/redemption; need for kennel monitoring; barking dog; Ordinance enforcement/fines.

Vaughn Garbarek, Animal Control, submitted a letter from Ronald L. and Marilyn Abbott in opposition to the Ordinance.

Discussion: Animals in open vehicles; enforcing State Statute, enforcement within municipalities; citation procedures; fines; animals on beaches/in parks; animals on Palma Sola Causeway.

Motion to Continue Public Hearing - Withdrawn

Following discussion regarding alternative language for the next Public Hearing, motion to continue the Public Hearing to August 15, 1989, 10:00 a.m. or as soon thereafter as may be heard was withdrawn.

Motion - New Public Hearing

Mr. Chance moved the Chairman be authorized to set and advertise a date for a Public Hearing on this matter sometime in August. Motion was seconded by Ms. Snell and carried unanimously.

JAIL FACILITY DEVELOPMENT

The County Administrator presented goals and objectives for the development and construction of the Stockade expansion at Port Manatee and the Comprehensive 768-bed Jail Facility.

He recommended that staff be authorized to proceed with the Request for Proposal (RFP) for the Stockade and to discuss a Jail Facility site with the Port.

Discussion: Turn-key/traditional RFP; possible lower costs with dual project bid; inspecting projects built by prospective contractors; Board input in writing RFP; work session to discuss specifics on selected sites, etc.

Motion

Motion was made by Ms. Snell authorizing staff to 1) Commence the permitting process with regard to the site for the Port Manatee Stockade expansion and 2) direct staff to review all possible alternatives with regard to individual or joint RFP's or IFB's for the Stockade expansion and the Comprehensive Jail Facility and report back to the Board as soon as possible. Motion was seconded by Mrs. Hooper.

Amendment to Motion

Motion was made by Mr. Chance to include 3) site selection alternatives (for the Comprehensive Jail Facility). Motion was seconded by Ms. Snell and carried unanimously.

The motion as amended carried unanimously.

Members/representatives of the Correction Planning Committee and Undersheriff Hambacher were present to answer questions.

CIVIC CENTER FUNDING

John Graham, Civic Center Executive Director, requested \$75,000 to fund the shortfall in revenues for operation of the Civic Center for the remainder of fiscal year 1989 with possible allocation for future funding. The shortfall is due to reduced funding from the Tourist Development Council (TDC).

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Discussion: Funding from unanticipated revenues; providing projected financial plan/alternative food service plan; closing center for maintenance during slow season; legal review of Nord Corporation reverter clause; request contribution from City of Palmetto; budgeting County funds; TDC allocations.

Motion was made by Mr. Chance that \$75,000 of unanticipated revenues be used to fund the request of the Civic Center Authority. Motion was seconded by Mr. Chetlain and carried unanimously.

Jim Seuffert, Director of the Office of Management and Budget, stated that unanticipated revenues are available (i.e. sales tax).

Russell McInerney, Civic Center Authority Chairman, gave a slide presentation of the history of TDC resort tax revenues and amounts received by the Civic Center.

Recess/Reconvene. All members were present except Mr. Chance.

SPECIAL MEDICAL CARE SHELTERS

Michael Latessa, Public Safety Director, (memo 6/9/89) advised that Florida Statute 252.355 requires voluntary registration, transportation and personnel services by the County for emergency evacuations of persons with special medical needs during a declared impending disaster. Moody School had been selected as the site.

The County is responsible for sheltering, supplies and equipment and Manatee County American Red Cross is responsible for staffing. A plan for coordination of the shelter will be prepared by Public Safety.

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

R-89-141 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ADOPTING THE CONCEPT OF SPECIAL CARE SHELTERS FOR RESIDENTS WITH SPECIAL MEDICAL NEEDS DURING A MANDATORY EVACUATION.

RECORD S39-102

PORT MANATEE - I-75 SIGNS

Richard A. Wilford, Public Works Director, (memo 6/22/89) requested the Chairman execute a letter to William Trefz, Florida Department of Transportation (FDOT), requesting the transfer of Port Manatee signs from Exit 45/Moccasin Wallow Road interchange to Exit 44/I-275 interchange on I-75. Complaints have been received regarding the excessive use of Moccasin Wallow Road by large trucks traveling between I-75 and the Port.

Motion was made by Mr. Chetlain to approve the request. Motion was seconded by Mrs. Hooper and carried unanimously.

MILL CREEK - PHASE III - FINAL PLAT

Mrs. Hooper moved to approve/accept and/or execute documents relating to Plat of Mill Creek - Phase III Subdivision, as outlined in memorandum dated June 30, 1989, from Richard A. Wilford, Director of Public Works. Motion was seconded by Ms. Snell and carried unanimously.

Documents:

1. Final Plat
2. Agreement with Pursley, Inc. guaranteeing required improvements (\$413,814.92)
3. Performance Bond: \$413,814.92 (L/C No. 904-89 from BancFlorida)
4. Joinder, BancFlorida
5. Declaration of Covenants, Conditions, Easements and Restrictions
6. Temporary Easement for emergency access from Pursley Inc.
7. Temporary Easement for Turn-Around from Pursley Inc.

RIVER CLUB NORTH - LOTS 1-85 - FINAL PLAT

Mrs. Hooper moved to approve/accept and/or execute documents relating to Plat of River Club North, Lots 1-85 Subdivision, as outlined in memorandum dated June 30, 1989, from Richard A. Wilford, Director of Public Works. Motion was seconded by Mr. Chetlain. Voting "Aye" were Ms. Snell, Mrs. Hooper and Mrs. Glass. Voting "Nay" was Mr. Chetlain.

Documents:

1. Final Plat
2. Agreement with Manatee Joint Venture guaranteeing required improvements (\$979,495.44); Performance Bond: \$979,495.44 (Escrow Agreement from Barnett Bank of Manatee County N.A.)
3. Joinder, Barnett Bank of Manatee County N.A.
4. Declaration of Covenants, Conditions, Easements and Restrictions

SARASOTA-BRADENTON AIRPORT

Mark Barnebey, Assistant County Attorney, advised that he and David Byers, of Brady, Byers and Associates attended the Sarasota-Bradenton Airport Authority Public Hearing (6/10/89) to reassert Board position on changes to the Noise Compatibility Program (NCP) prior to approval by the Federal Aviation Administration.

Mr. Byers reported on topics of concern which he presented to Airport Authority on behalf of the Board:

1. Noise Exposure Map
2. Noise Compatibility Program
 - a. Capacity Restrictions Based on Noise
 - b. State II Night Departure Restrictions
 - c. Balanced Runway Use
 - d. Land Acquisition
3. Noise Monitoring Program

(Enter Mr. Chance during report)

Discussion: Continued noise complaints; increase of plane traffic.

Mr. Barnebey submitted a letter to the Airport Authority summarizing concerns that the Program will not meet FAA concerns, the requirements of the FAR Part 150 Program, or conditions of the DRI Development Order authorizing Airport expansion and new terminal. Items addressed: 1) Stage Two nighttime departure restrictions; 2) 1993 Future Noise Exposure Map; 3) Balanced Runway Use.

Motion was made by Mr. Chetlain and seconded by Ms. Snell authorizing the Chairman to sign this letter and forward to John Reed Buckley, Chairman of the Airport Authority. Motion carried unanimously.

CLERK'S CONSENT CALENDAR

After discussion of the air conditioner water credit/refund to the Piccadilli Cafeteria, motion was made by Ms. Snell and seconded by Mr. Chance to approve the Clerk's Consent Calendar dated July 11, 1989. Voting "Aye" were Ms. Snell, Mr. Chance, Mrs. Hooper and Mrs. Glass. Mr. Chetlain voted "Nay". Motion carried.

BONDS**Accept:**

Sheriff's Public Deputies Blanket Bond

Additions

Barber, Linda	-	Records Clerk
Collins, Michael	-	Special Deputy (BPD)
Diaz, Lenard	-	Special Deputy (BBPD)
Ennis, Shirley	-	Booking Clerk
Evers, Cynthia	-	Sheriff's Reserve
Gavin, Rita Rena	-	School Crossing Guard
Gerkin, Robert	-	Airport Patrol Deputy
Gow, Robert J.	-	Special Deputy (w/powers)
Hutto, Harold	-	Patrol Deputy
Longoria, Lupita	-	Records Clerk
Murray, Lorraine	-	CID-Receptionist
Robinson, Edward G.	-	Sheriff's Reserves
Shanks, Charlie	-	School Crossing Guard

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Smith, William	-	Corrections Officer-TEA
Suddoth, Emmitt Earl	-	School Crossing Guard
Vorva, Joseph	-	Special Deputy (BPD)
Walker, Wesley	-	Special Deputy (BPD)
Whidden, Daniel	-	Patrol Deputy
Woodruff, Edward	-	Communication Specialist
<u>Deletions</u>		
Aiken, Diane	-	Warrents Clerk
Arwood, Doris	-	Records Clerk
Colman, Barry	-	Removed as Special Deputy
Frazier, Carlton	-	Termination as Patrol Deputy
Moss, Michael	-	Corrections Officer
Remington, Shirley	-	P/T Personnel Clerk (Phased Out)
Weiss, Sidney	-	School Crossing Guard

Manatee Oaks III Subdivision

1. Defect Security (L/C A-7773/SB \$77,861.92) The Citizens & Southern National Bank of Florida.
(Note: Agreement to be submitted 7/18/89)
2. Performance Bond for Sidewalks (L/C A-7775/SB \$36,450.00) The Citizens & Southern National Bank of Florida.
(Note: Agreement to be submitted 7/18/89)
3. Public Improvements for County maintenance.

Release:**Manatee Oaks III Subdivision**

1. Performance Bond (L/C A-7696/SB \$197,168.08) The Citizens & Southern National Bank of Florida.
2. Required Improvements Agreement with Manatee Builders Development Corp., \$197,168.08.

Whispering Pines Subdivision

Agreement Warranting Required Improvements with Eric B Robertson, \$1579.12
 Defect Security Cashier's Check No. 003584, \$1,579.12, First National Bank of Manatee.

BILLS FOR PAYMENT

Bush, Ross, et al - Special Svs National Casualty	\$	64.00
Bush, Ross, et al - Special Svs Hillery/Fluker v. M/C		8.62
Carlton, Fields, et al - MC v. National Casualty		895.22
Carlton, Fields, et al - Manatee Memorial Hospital		6,033.89
Carlton, Fields, et al - MC v. Hobbs v. Frazzell		6,750.00
MC v. Hobbs v. Frazzell		407.87
Landers & Parsons - Sarasota/Bradenton Airport Authority		5,704.87
Nabors, Giblin, et al - Special Svs Hy Kom Dev v. M/C		1,162.27
CH2M Hill - Req 24, SW WWTP Inj Well/Professional Svs		1,111.12
Camp Dresser & McKee - Suppl W/A 1/Munic Well Field/Final		12,763.77
Camp Dresser & McKee - Suppl W/A 2/Work Task 100 & 200		37,331.10
Camp Dresser & McKee - Inv 929, 932, 933 SE Subreg WWTF		10,310.35
Cortez Heating & Air Conditioning - C/Hse Juvenile HVAC		1,668.18
Gee & Jenson Engineers - Suppl Consult Svs/E B'ton Pk		592.00
Johnson-Lancaster Inc. - Safety Complex Kitchen Renov		12,951.00
Larson Engineering - N County Sewer/Skyway Rest Area		8,344.24
Larson Engineering - N County WW Coll Sys Rubonia/Wash Pk		30,818.71
Roese Contracting Co. Inc. - Req 5, N Rubonia Coll Sys		109,731.61
H. J. Ross Associates - Architect Svs/Admin Complex		9,688.29
Two C's Marine - Fishing Reefs PO88776/Final		19,550.00
U.S. Coast Guard Aux 83 - Req 2, WCIND Funds		1,908.95
U.S. Coast Guard Aux 83 - Req 3, WCIND Funds		1,292.99
United Mechanical, Inc. - Smoke Dampers/Safety Complex		2,107.02
United Mechanical, Inc. - HVAC Floor 3/Courthouse		18,990.00
Wendel Kent & Company, Inc. - Part Pymt 9/9th St E		88,206.48
Westra Construction - N Subreg WW Fac, Req 3/Washington Pk		89,397.32
Woodruff & Sons, Inc. - Pt Pymt 2, 63 Ave E & Bridge Replac		145,777.54

Approve, Ratify, Confirm Payment

Two C's Marine - 3/7 Mile Fishing Reefs PO90103/Final	26,600.00
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REFUNDS

L. J. Hooker Dev Corp - Impact Fee Credit	61,769.00
Padab Artistry/Philip Babas - Plan Review Fee	25.00
Harald Barrow - Electrical Permit (City)	30.00
Thomas Marshall - Roofing Permit (City)	45.00
Robert Harkinson - Plumbing Permit issued in error	45.00

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LaGasse Plumbing, Inc. - Re-inspection Fee Overpayment	25.00
Gerald Doeden - Roofing Permit (in City)	25.00
George Goodman - Building Permit denied	93.75
Oeda Beitz - Electrical Service Interrupt Permit (City)	40.00
Specialty Aluminum - Renovation Permit Overpayment	10.00
Charles Bennett - Renovation Permit Overpayment	15.00
Francis Oostdijk - Renovation Permit Overpayment	35.00
Estate of Evelyn Farrow Pratt - Utility Service Overpayment	103.31
Genesis Communities - Utility/Construction Meter Overpayment	17.79
Robert Given - Private Street Application (not required)	405.00
Piccadilly Cafeteria - Air Conditioning Water Adjustment	3,769.81
Bruce Galloway - Water Conservation Seminar	20.00
John Lane - Water Conservation Seminar	10.00
Smalley, Wellford & Nalven, Inc. - Water Conservation Seminar	10.00
Harllee & Porges, P.A. - Water Conservation Seminar	10.00
Heinzman Engineering - Water Conservation Seminar	10.00
Hugh Dorris - Water Conservation Seminar	10.00
City of Bradenton Beach - Water Conservation Seminar	10.00
Dye, Scott & Deitrich, P.A. - Water Conservation Seminar	10.00
Cora McIntosh - Ambulance Overpayment	15.33
Mary Gilpin - Ambulance Overpayment	20.24
Mae Miller - Ambulance Overpayment	16.37
Eva Karst - Ambulance Overpayment	20.93
Walter Kelley - Ambulance Overpayment	62.11
Beulah Jannesch - Ambulance Overpayment	100.26
Arnold Amsden - Ambulance Overpayment	142.76
Shirley Austin - Ambulance Overpayment	2.40
Olive Snyder - Ambulance Overpayment	58.99
George Eichele - Ambulance Overpayment	19.24
Elenor Sesny - Ambulance Overpayment	110.76
Florence Zaleski - Ambulance Overpayment	88.26
Christine Bouwman - Ambulance Overpayment	108.26
Mrs. Matthew Bajorek - Ambulance Overpayment	107.76
Carolyn Srodes - Ambulance Overpayment	116.00
Margaret Mosher - Ambulance Overpayment	117.76
Gladys Goddard - Ambulance Overpayment	10.88
Lola Jackson - Ambulance Overpayment	3.00
Bessie Ream - Ambulance Overpayment	15.24
Gladys Morrison - Ambulance Overpayment	16.10
Lillian Harvey - Ambulance Overpayment	17.93
Opal Williams - Ambulance Overpayment (5/30/88)	18.74
Opal Williams - Ambulance Overpayment (9/19/88)	18.74
Opal Williams - Ambulance Overpayment (2/15/89)	18.33
Marion Driggett - Ambulance Overpayment	18.85
Barbara McFarlane - Ambulance Overpayment	19.89
Eino Maki - Ambulance Overpayment (1/28/89)	20.93
Eino Maki - Ambulance Overpayment (2/27/89)	66.45
Ewald Wentland - Ambulance Overpayment	22.28
Herman Lund - Ambulance Overpayment	23.60
Gloria Dolan - Ambulance Overpayment	42.15
Rose Riviotta - Ambulance Overpayment	92.25
Lola Jackson - Ambulance Overpayment	186.00
Catherine Slusser - P & R Romp n' Run Class/canceled	8.00
Katherine Keever Young - P & R Romp n' Run Class/canceled	8.00
Mary Jo Ganey - P & R Romp n' Run Class/canceled	40.00
Leonore Daniels - P & R Romp n' Run Class/canceled	16.00
Kevin Dupre - P & R Summer Blast Camp, Session III	25.00
Ben Lane - P & R Summer Blast Camp, Session II	85.00
Derek Jones - P & R Summer Blast Camp	35.00
Robin Gehl - P & R Summer Blast Camp	85.00
Katie Powers - P & R Summer Blast Camp	85.00
Katie & Richard Meana - P & R Summer Blast Camp	70.00
Jim Hill - P & R Summer Blast Camp	25.00
Carolyn McElveen - P & R Romp n' Run Class/canceled	12.00
Jennifer & Brian Lewis - P & R Summer Camp	175.00
Sal Cagno - P & R Youth Basketball	10.00
Mary Madeira - Tallahassee Trip/double occupancy credit	40.00
Ollie Walty - Sea Escape/canceled	112.00
Nicholas & Virginia Wahl - Sea Escape/canceled	112.00

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(Cont'd)

Florence Spangler - Sea Escape/canceled	112.00
Nancy Volker - Sea Escape/canceled	56.00
Terry McAllister - P & R Facility Reservation	10.60
Lanie Campion - P & R Facility Reservation	15.90
Parents Without Partners - P & R Facility Reservation	10.60
Judy Murphy - Safety Seat	20.00
Barbara Dianich - Safety Seat	20.00
Elizabeth Stebbins - Safety Seat	9.00
M. Smith - Safety Seat	10.00
Anil Sethi - Safety Seat	20.00
Helen Blacken - Safety Seat	20.00
Leland Johnson - Safety Seat	20.00
Mark Slentz - Safety Seat	20.00
Kimberly Keller - Safety Seat	20.00
John Freneau - Safety Seat	20.00
Jill Pickett - Safety Seat	20.00
Donald Cundey - Safety Seat	40.00
Nancy Varner - Safety Seat	20.00
Martha Northcutt - Safety Seat	20.00
Don Brewer - Safety Seat	20.00
Verleen Green - Safety Seat	20.00
Vivian Hart - Safety Seat	20.00
Kenneth G. Olson - Safety Seat	3.00
Cindy Tate - Safety Seat	20.00
Elmer Rimer, Jr. - Safety Seat	20.00
Margaret Maciolek - Safety Seat	20.00
Glynette Barney - Safety Seat	20.00
Sherri Teare - Safety Seat	20.00
Erich Clark - Safety Seat	20.00
Donna Deemer - Safety Seat	20.00
Lori Williams - Safety Seat	20.00
Dorothy Baker - Safety Seat	20.00
Mamie Wallace - Safety Seat	8.00
Judith Joachim - Safety Seat	10.00
Jody Riley - Safety Seat	10.00
Germaine Overstreet - Safety Seat	10.00
Birdie Solar - Safety Seat	20.00
Gladys Garrity - Safety Seat	10.00
Christina Bogart - Safety Seat	10.00
Paul Richter - Safety Seat	20.00
William Carroll - Safety Seat	24.00
Ronald Rodriguez - Safety Seat	20.00
James McLimani - Animal Cage	20.00
Sequester Myers - Animal Cage	20.00
Norma Soward - Animal Cage	20.00

WARRANT LIST

Approve: June 20, 1989 to July 10, 1989

Authorize: July 11, 1989 to July 17, 1989

MINUTES FOR APPROVAL

May 2, 1989 - Regular & Special

May 4, 1989 - Special and May 9, 1989 - Regular

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

Ralph J. Mattice - State of FL vs Gerald Murphy 57.00

Partial Release Special Improvement Assessment Lien:

Project 5056(1); 5124(1); 301-2503(3); 301-2511(2); 405-5235(1)

Bridge Rehabilitation

Contract with Tom Quinn Co., Inc. dba Bay Machine (\$87,657.50);

dating of Performance-Payment Bond (Regency Insurance Co., Surety)

and Power of Attorney; acceptance of Certificate of Insurance

(Colony Insurance Co./Travelers Insurance Co. (Approved 5/9/89)

RECORD S39-103**Satisfaction of Judgment**

Virginia Johnson Case No. 89-203JD (\$20.00)

APPROVE, RATIFY & CONFIRM**P & R Special Interest Instructor's Classes:**

S39-104 Al Melnick - Baseball

David Marshall - Baseball S39-109

S39-105 John Carlock - Baseball

Kathy Ketter - Aquatics S39-110

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(Cont'd)

S39-106 Gary Theiler - Baseball Don Blaker - Tennis S39-111
S39-107 Beatrice Linck - Swimming Cristopher Burtless - Summer Camp S39-112
S39-108 Stephanie Eileen Pearson - Summer Camp

RECORD

Transit Advertising Agreement

Renewal Application with Leonard A. McCue, Attorney (8/89-8/90)

RECORD S39-113

ACCEPT

North Subregional Wastewater Improvements/Rubonia Collection System

Certificate of Substantial Completion EPA Project C120540150 (Step No. 3) from Roesse Contracting Company, Inc.

Southeast Subregional Wastewater, Phase II A2

Certificate of Substantial Completion EPA Project C120540060 (Step No. 3) from T. A. Forsberg, Inc.

Manatee Hospitals and Health Systems, Inc. (Bound Volumes)

Industrial Development Revenue Refunding Bonds, \$53,220,000 1987 Series (Volumes I and II 12/1/87); and \$5,040,000 1988 Series (Volumes I and II 2/1/88)

One-cent Sales Surtax/Jails

Certificate of County Canvassing Board for Special Referendum Election 6/27/89.

Employee Tax Savings Health Plan

Executed Amendments and Joinders (approved 3/21/89) from:

S39-114 Clerk of Circuit Court	Mosquito Control	S39-118
S39-115 Sheriff	Official Court Reporters	S39-119
S39-116 Property Appraiser	Housing Authority	S39-120
S39-117 Supervisor of Elections		

RECORD

63rd Avenue East Collection System

Insurance Certificate for Westra Construction Corporation (Aetna Casualty/Employers Self Insurers Fund 7/1/89 - 7/1/90)

COMMISSIONER'S COMMENTS

Building Permit/Roy Gillis - The County Administrator advised he would report back regarding a procedure for resolving issuance problem.

Power Boat/Jet Ski Regulations - A request for an Ordinance to set speeding rules was referred to the County Administrator and County Attorney.

Budget - The County Administrator will notify the constitutional officers requesting they attend the budget hearings to present their needs; advise the Board.

Land Development Code/Regional Activity Centers - Steve Logan, Assistant County Administrator/Strategic Growth Development was requested to present a report at next planning meeting.

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

GROUP HEALTH PLAN INSURANCE

As a result of the work session held to discuss the Group Health Plan, a motion to move forward to expedite a contract for Manatee County insurance died for lack of a second.

The Board concurred additional information was needed from the Purchasing Department before a decision was made to proceed. A Special Meeting was set for July 13, 1989 at 9:00 a.m.

LAWSUIT - WHITEHALL DEVELOPMENT CORPORATION V. MANATEE COUNTY, ET AL

Tedd N. Williams, Chief Assistant County Attorney, submitted a settlement letter from Michael J. Furen, Attorney representing Whitehall Development (Circuit Court Case No. 89-1700-CA-01) as a result of a Conceptual Plan and a rezone denial on property at the intersection of Tallevast and Lockwood Ridge Road.

Mr. Williams recommended scheduling a Public Hearing to consider/approve the settlement offer and rezoning application and to readvertise the rezoning at the County's expense.

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(Cont'd)

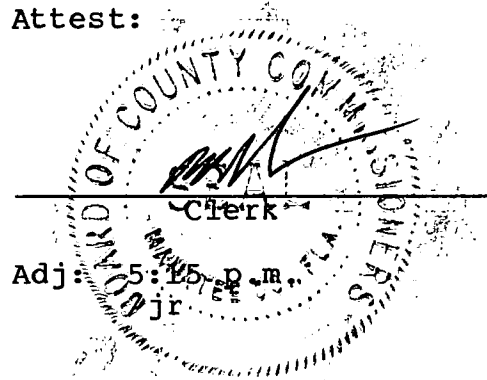
Discussion: Basis of complaint; counter-offer to rehear original application/consider settlement; waiving fees, etc.

Motion was made by Ms. Snell that the County Attorney's office make a counter-offer to Mr. Furen's letter advising that the Board will rehear Whitehall Development's application for rezoning and conceptual approval waiving all fees in connection therewith, and if the matter is resolved to the mutual satisfaction of the parties, then settlement letter paragraph 2 (dismissal/release) and paragraph 3 (each party paying own attorney's fees) would apply. Motion was seconded by Mr. Chance and carried unanimously.

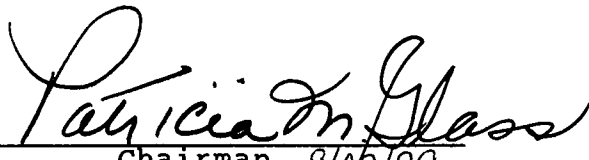
MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:



APPROVED:


Chairman 8/29/89