

FEBRUARY 6, 1996

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, February 6, 1996, at 9:02 a.m.

Present were Commissioners:

Stan Stephens, Chairman
Patricia M. Glass, First Vice-Chairman
Gwendolyn Y. Brown, Second Vice-Chairman
Lari Ann Harris, Third Vice-Chairman
John R. Gause
Maxine M. Hooper
Joe McClash

Also present were:

Ernie Padgett, County Administrator
H. Hamilton Rice, Jr., County Attorney
Judy LaMee, Director of Communications and Development,
representing R. B. Shore, Clerk of Circuit Court

Invocation by Rev. Wyman Still, Beautiful Savior Lutheran Church.

The meeting was called to order by Chairman Stephens.

AWARDS - EMPLOYEE OF THE MONTH

Certificate of recognition plaque was presented to Stephen Sellars, Parks Supervisor, as February Employee of the Month, for his services with Parks and Recreation Department for over 19 years.

TAMPA BAY NATIONAL ESTUARY PROGRAM

Dick Eckenrod, The National Estuary Program, presented an overview of the Tampa Bay National Estuary Program "Charting the Course", the community based plan for restoration of the bay. He advised there will be a local town meeting at the Civic Center to discuss the plan on February 28, 1996, at 7:00 p.m.

CITIZENS' COMMENTS

Palmetto Youth Sport Facilities - Bill Robey, representing North River little leagues, outlined the critical need for ballfields/facilities and requested immediate response so practice/play could commence.

Discussion: Need is desperate; fairground fields are to be available after February 15; Boys Club light poles are installed, but not lit.

Cortez Community Center - Gerry Culbreath, Karen Bell, and Mary Fulford Green addressed the need for community facilities in Cortez and asked for support/assistance in acquiring the 1912 Cortez schoolhouse.

Ms. Bell, representing FISH, invited the Board and County Administrator to visit the school facilities and upcoming Cortez festival.

Mrs. Green, representing the Cortez Village Historical Society, requested County support and staff assistance to establish a plan for Board approval and presentation in Tallahassee.

Orimulsion - Martha Rubin relayed a public message from Kenneth Haddow who is soliciting signatures on petitions in opposition to orimulsion.

Tourist Development Council (TDC) - Luke Courtney, representing the Coalition of Barrier Island Elected Officials, and Carol Whitmore, representing the City of Holmes Beach, requested that an elected official from an island municipality be appointed to the TDC.

Discussion: Manasota League of Cities recommended that elected official membership be rotated between the municipalities.

(Note: Further discussion later in the meeting)

AGENDA DELETIONS

Ernie Padgett, County Administrator, deleted the agreement with Tropicana Products, Inc., for right-of-way on 9th Street East.

FEBRUARY 6, 1996

(Cont'd)

CONSENT AGENDA

Upon motion by Mr. McClash and second by Ms. Brown, the Consent Agenda dated February 6, 1996, was unanimously approved after deletion of: 1) Master Appraisal Services Agreement with Sewell, Valentich, Tillis & Associates; and 2) Appointment of an elected official to the Tourist Development Council (separate action). Items APPROVED:

CLERK OF CIRCUIT COURTBONDSAccept:

Sheriff's Public Deputies Blanket Bond (15 additions; 7 deletions)
RECORD S44-2515

BILLS FOR PAYMENT

S&E Contractors Inc. - Req 6, Landfill Closure, Phase I	\$ 374,185.87
Req 7, Landfill Closure, Phase I	477,567.57
Req 8, Landfill Closure, Phase I	52,141.38

REFUNDS

Samuel V. Johnson, Tr (Flex Bon Paints) - Impact Fee Refund	8,974.50
Neal Communities, Inc. - Impact Fee Credit	6,120.00
Neal Communities, Inc. - Impact Fee Credit	2,589.24

WARRANT LIST

Approve: January 30, 1996 through February 5, 1996
 Authorize: February 6, 1996 through February 21, 1996

MINUTES FOR APPROVAL

December 5, 21, 1995 - Regular Meetings

AUTHORIZE CHAIRMAN TO SIGN

Lift Station 9-D Rehabilitation - Contract with Southern Lift Stations, Inc., in the amount of \$105,390; execute performance/payment bond; and accept insurance certificate (approved 12/5/95). RECORD S44-2516

Memphis Road Improvements - Contract with Woodruff & Sons, Inc., for safety/utility improvements (at Ellenton-Gillette Road) in the amount of \$412,826.40; date performance/payment bond and power of attorney; and accept insurance certificate (approved 1/9/96). RECORD S44-2517

Satisfaction of Judgment - Jackie Dawson, Case 91-1770F (\$244.25)

ACCEPT

Domestic Violence Protection Program - Report/plan outlining Clerk of Circuit Court cellular telephone program for domestic violence victims.

Cedar Hammock Fire Control District - Audited Financial Statements ending September 1995.

West Coast Inland Navigation District - Audited Financial Statement and Annual Local Government Financial Report ending September 30, 1995.

Lakewood Ranch Community Development Districts - Minutes of meetings of the Board of Supervisors for District 1 (12/7/95) and for District 2 (11/2/95 & 11/15/95).

COUNTY ADMINISTRATORTRAVEL

- Commissioners to Orlando, Florida, April 2-5, 1996, to attend the 1996 National Hurricane Conference.
- Commissioners to Miami Beach, Florida, March 12-16, 1996, to attend Seatrade Cruise Shipping Convention.
- County Attorney to Tampa, Florida, on February 16, 1996, to attend City, County, and Local Government Law Certification Committee.

STATE HOUSING INITIATIVE PROGRAM - COLLECTION PROCEDURES

Implement past due collection procedures for mortgages funded for housing activities through SHIP program (implementation by Multi Financial Services, County loan servicing agent). RECORD S44-2518

CONVENTION AND VISITORS BUREAU ADVERTISING

Expend \$30,161 to participate in the American TransAir co-op advertising radio promotion to encourage travel to this area from Indianapolis, Milwaukee, and Boston.

CROSLEY ESTATE SHOWCASE

Approve supplemental events to be conducted by the American Society of Interior Designers during the Crosley Estate Showcase 1996.

RECORD S44-2519

EASTER EGG HUNT

Authorize Parks and Recreation to offer Easter egg hunt at G. T. Bray Park on April 6, 1996; and accept donations from business community.

YOUTH AFTERSCHOOL PROGRAM

Execute Health and Rehabilitative Services application for license to operate a child care facility at Bray Park recreational complex for Fiscal Year 1996; and authorize Parks and Recreation staff to execute affidavits. RECORD S44-2520

FINAL PLATS

Creekwood Phase Two, Subphase G & H

1. Final Plat
2. Mortgagee's Joinder in Declaration
3. Agreement with Wilma-Creekwood (West) Joint Venture guaranteeing completion of required sidewalks and bikeways (\$16,406).
4. Performance Bond: \$16,406 (Bond U-08442, Preferred National Insurance Co., Surety).
5. Agreement with Wilma-Creekwood (West) Joint Venture warranting required improvements (\$28,423.89).
6. Defect Security: \$28,423.89 (Bond U-08443, Preferred National Insurance Co., Surety)
7. Conservation Easement from Wilma-Creekwood (West) Joint Venture.
8. Notice to Buyer/List of Holdings/Fiscal Budgetary Information Respecting Subdivision, Phase I

Summerfield Village, Unit 1, Revised

1. Final Plat
2. Mortgagee's Joinder in Ratification

PLANNING COMMISSION - MAGAZINE SUBSCRIPTION

Pay subscriptions to the "Planning Commissioners Journal" to be sent to seven Planning Commissioners for a total of \$70.

GRANT - RECLAIMED WATER AQUIFER STORAGE AND RECOVERY

Execute First Amendment to agreement with Southwest Florida Water Management District on behalf of Manasota Basin Board for reclaimed water aquifer storage and recovery system investigation at Southwest Regional Wastewater Treatment facility (extending commencement date to 2/29/96 and expiration date to 10/1/99).

RECORD S44-2521

75TH STREET WEST IMPROVEMENTS

Execute contract for sale/purchase for a Temporary Construction Easement with Constantinos Tasiounis for right-of-way, \$186; and accept and record Temporary Construction Easement. RECORD S44-2522

DEEDS AND EASEMENTS

1. State Road 70 - Accept Warranty Deed from River Landings Centre Joint Venture; Affidavit of Ownership and Encumbrances and Partial Release from Comerica Bank and Trust FSB; and Quit Claim Deed from Palma Sola Development, Inc., for right-of-way, new 301 Boulevard to I-75 (approved 12/5/95).
2. State Road 70 - Accept Warranty Deed from Community Bank of Manatee; Affidavit of Ownership and Encumbrances for right-of-way, new 301 Boulevard to I-75 (approved 12/5/95).

STREET VACATION

Adopt

R-96-09-V RESOLUTION DECLARING PUBLIC HEARING ON FEBRUARY 27, 1996, AT 2:00 P.M., ON APPLICATION BY RICHARD AND JUANITA PETERSON FOR VACATION OF CERTAIN STREETS, ROADS OR OTHER APPROPRIATE PROPERTY IN FLORIDANA MOBILE HOMESITE SUBDIVISION.

RECORD S44-2523

MATERIALS AND SERVICES

1. Ambu Bags Group XIV - Rescind award bid to Southern Surgical Supply, \$9,932 (12/5/95); award bid to next lowest responsive, responsible bidder, Aero Products Corp., \$16,227.
2. Bowlees Creek Dredging - Award IFB 531514DC to the lowest responsive, responsible bidder, Spring Lake Services, \$406,750.34; and authorize subsequent execution of contract and simultaneous dating of performance/payment bond, and accept insurance certificate.
3. Library Furniture and Shelving - Purchase via state contract from Standard Business Systems for an estimated total of \$85,111.38.

BRADEN RIVER PARK - BALLFIELD LIGHTS AND POLES

Issue change order to Purchase Order 103112 with MUSCO Sportlighting, Inc., for additional equipment at Braden River Park, \$60,684, total not to exceed \$184,026.

FEBRUARY 6, 1996

(Cont'd)

DEFERRED COMPENSATION

Action → Execute employee deferred compensation plan with Metropolitan Life and Affiliate Services to be a provider for employee deferred compensation plan pursuant to Section 457, Internal Revenue Code.

RECORD S44-2524

FOURTH OF JULY FIREWORKS

Reimburse City of Palmetto \$3,500 for the 1995 Fourth of July fireworks celebration.

PROPERTY APPRAISAL SERVICES

Execute Master Services Agreements with top-ranked firms on as needed basis: 1) Richard W. Bass Associates, Inc.; 2) Corson & Associates, Inc.; 3) Shawn Eady Diggs, MAI; 4) Doss Smith & Associates; 5) Greber Appraisal Services, Inc.; 6) Real Property Analysts, Inc.; 7) R & W Enterprises, Inc.; 8) Smith-Parke & Company, Inc.; 9) James L. Young.

RECORD S44-2525
through S44-2533**BUDGET AMENDMENTS**

Adopt Budget Amendment Resolutions

SHERIFF (B-96-022)

Item Transfers: Fund crime prevention activities from Fund Balance in the Special Law Enforcement Trust Fund.

\$500
RECORD S44-2534

INFORMATION SERVICES (B-96-023)

Increase Revenue/Expenditure: Increase funding required in Communication Fund for Purchase for Resale accounts. \$195,000

RECORD S44-2535

(B-96-024)

Item Transfers: Appropriates funds from Fund Balance within the LIS. Equipment Acquisition Fund.

\$16,986
RECORD S44-2536

PARKS & RECREATION (B-96-025/1&2)

Decrease Revenue/Expenditure: Closes the Palma Sola Park project and returns unexpended funds to Parks Impact Fee District A Reserve for Capital Projects.

\$10,998 S44-2537

Item Transfers: \$10,998 S44-2538

RECORD

(B-96-026)

Increase Revenue/Expenditure: Appropriates grant funds for the restoration and construction of boardwalks, fishing access, and signage development/installation in the portavant mound area of Emerson Point.

\$75,000

RECORD S44-2539

(B-96-027)

Item Transfers: Closes existing Braden River Middle School lighting project, reduces funding to Schroeder-Manatee Park and opens new funding to cover ballfield lighting at Braden River Park project.

\$85,000

RECORD S44-2540

MPO (B-96-028)

Increase Revenue/Expenditure: Appropriates monies from contract with Sarasota/Manatee Metropolitan Planning Organization.

\$11,000

RECORD S44-2541

PUBLIC WORKS (B-96-029)

Item Transfers: Adjusts funding for the Ellenton-Gillette Road at 17th Street East project based on bids.

\$75,000

RECORD S44-2542

(B-96-030)

Item Transfers: Appropriates funds approved in FY 1996 CIP for projects in Sewer FIF Construction Fund.

\$809,693

RECORD S44-2543

(B-96-031)

Item Transfers: Appropriates funds approved in FY 1996 CIP for a project in the 1988 Bond Construction Trust Fund.

\$102,000

RECORD S44-2544

(B-96-032)

Increase Revenue/Expenditure: Appropriates EPA grant revenues to various MARS projects.

\$4,295,000

RECORD S44-2545

- (B-96-033)
 Item Transfers: Adjusts funding for the State Road 64 at 66th Street Court East project based on bids received and revised construction estimates. \$72,883
RECORD S44-2546
- (B-96-034)
 Item Transfers: Transfers the remaining funds from the Foreman's Building project to the Transportation Administration Complex project. \$128,906
RECORD S44-2547
- (B-96-035)
 Item Transfers: Appropriates funds approved in the Fiscal Year 1996 CIP for projects. \$710,000
RECORD S44-2548
- (B-96-036)
 Item Transfers: Appropriates funds for waterline extensions 10 feet and over for the State Road 70 project from 45th Street East to east of the Braden River. \$16,000
RECORD S44-2549
- (B-96-037)
 Item Transfers: Funding to close the Memphis Road Reconstruction project based on final actual expenditures. \$307
RECORD S44-2550
- PUBLIC SERVICES (B-96-038)
 Item Transfers: Appropriates construction funds for the Lychee Acres Sewer Assessment project. \$424,834
RECORD S44-2551
- PUBLIC WORKS (B-96-039)
 Item Transfers: Adjusts funding for the State Road 70 waterline relocations and extension projects based on bids received. \$463,234
RECORD S44-2552

(End Consent Agenda)

Recess/Reconvene. All members present.

TOURIST DEVELOPMENT COUNCIL

Discussion was held regarding rotating elected official membership on the Tourist Development Council (TDC) among municipalities, and the need to clarify as to whether Pat Whitesel, City of Palmetto Mayor, was resigning/vacating her seat; therefore, appointment of Joe Hampton, Palmetto Councilman, to serve the remainder of Ms. Whitesel's term on the TDC (1/1/97) was deferred.

H. Hamilton Rice, County Attorney, referred to Florida Statute regarding the composition of the TDC.

Discussion: Disposition of funds left over from Convention and Visitors Bureau Fiscal Year 1995 budget; amending legislation; work session; etc.

TOURIST INFORMATION CENTER

Mr. White recommended the Tourist Information Center (TIC) brochure distribution policy (R-91-23) be amended. He addressed a new fee schedule (Section E) and submitted three photographs of transparency display towers to be used in conjunction with a new telephone system.

Motion was made by Ms. Brown, seconded by Mrs. Glass and carried unanimously, to adopt

R-96-31 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE DISPLAY AND DISTRIBUTION OF BROCHURES AND CERTAIN OTHER MATERIALS THROUGH THE MANATEE COUNTY TOURIST INFORMATION CENTER; PROVIDING FOR CERTAIN REQUIREMENTS, SPECIFICATIONS AND EXCLUSIONS WITH RESPECT TO SUCH DISPLAY AND DISTRIBUTION; PROVIDING A FEE SCHEDULE FOR MATERIAL; PROVIDING FOR THE MONITORING AND TRACKING OF REQUESTS FOR INFORMATION AND FOR REVIEW AND RECOMMENDATION OF TOURIST INFORMATION POLICY; PROVIDING FOR THE IMPLEMENTATION OF THIS RESOLUTION; SETTING FORTH CERTAIN TERMS AND CONDITIONS; PROVIDING FOR APPEALS WHERE APPLICATIONS HAVE BEEN DENIED; PROVIDING AN EFFECTIVE DATE (April 1, 1996); AND RESCINDING R-91-023. RECORD S44-2553

FEBRUARY 6, 1996

(Cont'd)

Motion - Amend Policy

Motion was made by Mrs. Hooper, seconded by Ms. Brown and carried unanimously, to allow governmental attractions within the state and state/federal parks to have literature distributed at no charge.

LEASE - MYAKKA HISTORICAL SCHOOLHOUSE RELOCATION

Fred Loveland, Community Services Director, outlined lease with Myakka City Historical Society, Inc., for relocation of the old Myakka Schoolhouse and a community center/recreation complex. The lease will comprise 3.3 of 17.8 County-owned acres on Wauchula Road, at a cost of \$10 per year, and will terminate September 30, 2027.

He noted the County will fund up to \$10,000 to construct the schoolhouse foundation and will require the Society to report annually on current and contemplated community uses on the property.

Discussion: Funds are budgeted; termination clause, etc.

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

R-96-33 A RESOLUTION AUTHORIZING A LEASE OF THE PROPERTY BETWEEN MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS AND MYAKKA CITY HISTORICAL SOCIETY, INC.

(authorizing execution of lease when received from Society)

RECORD S44-2554
S44-2555

WARES CREEK FLOOD CONTROL

Charles Hunsicker, Public Works/Ecosystems, requested approval for County Attorney's office to secure legislative assistance to obtain congressional authorization and appropriations for Wares Creek flood control project.

Mrs. Glass moved approval. Motion was seconded by Ms. Brown and carried unanimously.

LAWSUITS: MANATEE REALTY INVESTMENTS, LTD.

Mr. Rice recommended settlement of \$33,565.03, including attorneys fees, costs and expenses, to Manatee Realty Investments, Ltd., in State Road 70 eminent domain Case CA-95-1753, Manatee County versus Ebonite Recreation Centers, Inc., et al (Parcel 120).

(Depart Ms. Brown)

He noted additional costs were incurred by the property owner when the County was forced to condemn because the owner was unable to timely produce an appraisal (see 7/11/95).

Mr. McClash moved to approve the settlement. Motion was seconded by Mr. Gause and carried 6 to 0.

HIV/AIDS TASK FORCE - CONFLICT OF INTEREST

Mr. Rice referred to memorandum (2/6/96) wherein he recommended consideration of changing the mission of the HIV/AIDS Task Force (discussed at work session 12/19/95) from a recommending body, requiring a vote of the Board, to a fact-finding body in order to avoid possible conflicts of interest by task force members.

(Enter Ms. Brown)

Motion was made by Mrs. Glass, seconded by Mrs. Harris and carried unanimously, to direct the County Administrator to bring forth a changing resolution to clarify the mission of the Task Force.

COMMISSIONERS' COMMENTS

Garbage Collection - Mrs. Harris commended Ed Earthley, Public Works, for rapid response in locating and having Waste Management pick up garbage of several Whitfield area customers who were missed.

Road Construction - Ms. Brown questioned why road construction was scheduled on 6th Avenue West and on Manatee Avenue West at same time.
Disposition: Mr. McClash to ask David May, Florida Department of Transportation.

FEBRUARY 6, 1996

(Cont'd)


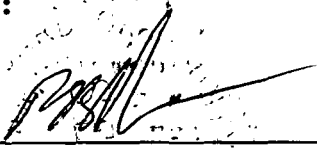
Enterprise Zone Funding - Mr. Stephens requested that the County Administrator discuss with the City of Palmetto a funding mechanism regarding pro rata share impact/investment policy.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:



Clerk

Chairman

Adj: 10:50 a.m.

/jr

3/19/96