

SEPTEMBER 15, 1998

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, September 15, 1998, at 9:10 a.m.

Present were Commissioners:

Patricia M. Glass, Chairman
Gwendolyn Y. Brown, First Vice-Chairman
Joe McClash, Second Vice-Chairman
Jonathan Bruce, Third Vice-Chairman
Stan Stephens
Lari Ann Harris
Amy Stein

Also present were:

Ernie Padgett, County Administrator
Teddy N. Williams, Jr., County Attorney
Susan G. Romine, Board Records Supervisor,
representing R. B. Shore, Clerk of Circuit Court

Invocation by Rev. Father William Gearhart, St. Philip's
Angelican Church

CONSENT AGENDA

Upon motion by Mr. Bruce and second by Mrs. Stein, the Consent Agenda was unanimously approved after the following deletions: (1) Land Use Restriction Agreements regarding the State Housing Initiative Program; (2) Alzheimer's Disease Initiative Grant; (3) Information for Bid for Office Supplies (all separate action); (4) Data Purchase and Use Agreement with Florida Department of Health; and (5) R-98-241 authorizing execution of State Revolving Fund Loan Agreement with Environmental Protection Department for the Southwest Regional Water Treatment Plant. Items APPROVED included:

CLERK'S CONSENT CALENDAR

BONDS

Accept:

Sheriff's Public Employees and Deputy Sheriffs Blanket Bonds
(10 Additions; 10 Deletions) RECORD S46-1092

Peridia Isle

Defect Security: \$12,090.00 (Letter of Credit 9808, SunTrust Bank)

Oak Creek Subdivision

Defect Security: \$37,064.93 (Letter of Credit 1110, West Coast Bank)

Winter Quarters R.V. Resorts, PH III

1. Agreement with NHC-FL10 L.P. dba Winter Quarters Manatee guaranteeing completion of required improvements, \$33,874.62.
2. Performance Bond: \$33,874.62 (Bond 1372751, Far West Insurance Company, Surety)

Tara, Ph II, Unit B

1. Agreement with Tara-Manatee, Inc., guaranteeing completion of required sidewalks and bikeways, \$1,092.00.
2. Performance Bond: \$1,092.00 (LC 06-98-0162, First National Bank of Naples)

Release:

Winter Quarters R.V. Resorts, PH III

1. Agreement with Winter Quarters, Inc., guaranteeing completion of required improvements, \$33,874.62.
2. Performance Bond: \$33,874.62 (LC 93-03 and Amendment, Sun Trust Bank)

Tara, PH II, Unit B

1. Agreement with Tara-Manatee, Inc., guaranteeing completion of required sidewalks and bikeways, \$26,559.00.
2. Performance Bond: \$26,559.00 (LC 02-95-0088 and Amendment 1, First National Bank of Naples)

AUTHORIZE FEE WAIVER

James Ashman - Animal Control Fee Assistance Program \$28.00

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(Continued)

WARRANT LIST

Approve: September 1, 1998 through September 14, 1998
 Authorize: September 15, 1998 through September 21, 1998

AUTHORIZE CHAIRMAN TO SIGNPartial Release of Special Improvement Assessment Liens:

Projects 3005-5235; 3009-5147(2); 3102-2502(2); 5031; 5147(2);
 5150; 5155

Satisfactions of Judgment:

Shawn Phillips, Case 98-403F
 Shirley Gonzalez and Juan Lozano, Case 96-3045JD,B
 Laura Hutchinson, Case 98-546JD,B
 Javier Gines Cruz, Case 97-2044F
 Thomas Ingram, Case 97-3193T

Coker Gulley Bridge - Contract with Thomas Marine Construction, Inc.,
 IFB 98-5821DC, \$254,715 (approved 9/1/98); date Performance and
 Payment Bonds and accept Insurance Certificate. RECORD S46-1093

Saffold Road Improvements - Contract with Sarasota Land Service, Inc.,
 IFB 98-4929DC, \$596,498.06 (approved 9/1/98); date Performance
 and Payment Bonds and accept Insurance Certificate. RECORD S46-1094

El Rancho Village Lift Station - Contract with DeJonge Excavating
 Contractors, Inc., IFB 98-4898DC, \$112,960 (approved 8/18/98);
 date Performance and Payment Bonds and accept Insurance
 Certificate. RECORD S46-1095

Clay Gulley Road Improvement - Contract with Gator Asphalt Paving,
 Inc., IFB 98-4928DC, \$904,088.76 (approved 9/1/98); date
 Performance and Payment Bonds and accept Insurance Certificate.

RECORD S46-1096

APPROVE, RATIFY AND CONFIRMParks and Recreation Department Special Interest Classes:

Gabriel Ferrer - Tennis S46-1097
 Diane J. Tucker - Financial Workshop for Investors RECORD S46-1098

ACCEPT

Records Destruction Request - Bureau of Archives and Records
 Management Form Listing County Records for destruction:
 No. 412, Tax Collector (DMV)
 No. 413, Tax Collector (Financial Services)
 No. 414, Tax Collector (Current Collections)
 No. 415, Tax Collector (Operations)
 No. 416, Tax Collector (Delinquent Collections)

West Manatee Fire-Rescue District - 1998-99 Fiscal Year Budget

Anna Maria Fire District - 1998-99 Fiscal Year Budget

Braden River Fire Control & Rescue District - Fiscal Year 1998-99
 Budget

Manatee County Housing Authority - Fiscal Year 1997 Audited Financial
 Statements; Fiscal Year 1999 Authority Budget; Schedule of Fiscal
 Year 1999 Board Meetings; and map of area of operation
 (unincorporated Manatee County).

Southwest Florida Water Management District - Fiscal Year 1999 Meeting
 Calendar and map depicting the district's boundaries.

COUNTY ADMINISTRATORJACKSON'S FACTORY SUBDIVISION - MANATEE COUNTY FAIRGROUNDS

Staff to conduct an appraisal of Lots 6, 7, and the north 50 feet
 of Lot 10 of the Jackson's Factory Subdivision adjacent to the
 Manatee County Fairgrounds; and staff to enter into purchase
 negotiations with the property owner.

LAWSUITS - STATE ROAD 70

1. Settlement with **John and Mary McCoy** as follows: (1) a conversion
 of the taking of Parcel 126 from a partial taking to a whole
 taking; and (2) a payment to the McCoy's of \$91,150, inclusive of
 statutory interest, but exclusive of attorney's costs and
 expenses, in the matter of Manatee County versus Anita M. Glasgow,
 et al., Case CA 95-2009.

2. Settlement with **George C. Perreault** for a payment to Mr. Perrault
 of \$325,000 (inclusive of statutory interest, but exclusive of
 attorney's fees, costs and expenses) for the taking of parcels 118
 and 801, in the matter of Manatee County versus Burt K. Rogers, et
 al., Case CA 95-2480.

LAW SUIT: JUDITH AND WILLIAM WOOTEN VERSUS MANATEE COUNTY, ET AL.

Authorization to drop cross-claims for indemnification against
 co-defendants in Case CA 96-4631.

ENTERPRISE ZONE DEVELOPMENT AGENCY

R-98-240 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING RESOLUTION R-97-243, PROVIDING FOR THE REAPPOINTMENT OF SEAT 2 OF THE ENTERPRISE ZONE DEVELOPMENT AGENCY

(appointing Tamara Cornwell, representing the City of Palmetto, Ward One, replacing Joe Hampton). RECORD S46-1099

COMMUNITY CARE FOR THE ELDERLY GRANT

Execution of Amendment 1 to rate agreement for Community Care for the Elderly CCE99-3 with West Central Florida Area Agency on Aging, Inc., establishing required copayment to be collected by Manatee County Aging Services clients and eliminate references to units of services. RECORD S46-1100

MEDICAID TRANSPORTATION

Community Services Department to proceed with interim Medicaid Transportation Coordination consistent with the "Community Transportation Coordinator Interim Service Plan." RECORD S46-1101

BUDGET AMENDMENT

Various Departments (B-98-066)

Transfer of Funds; Unanticipated Revenue Appropriations (supporting description and detail attached, including Sheriff's Budget Amendment 98-02) RECORD S46-1102

CLAY GULLEY ROAD

Execution of Change Order 1 to Work Assignment 3 with Wade-Trim, Inc., for engineering services (construction inspection), \$29,958 increase; adjusted total of \$140,141.70. RECORD S46-1103

LAND DEVELOPMENT COMPUTER SYSTEM

Execute Letter of Assignment from GeoPower Technologies, Inc., to assign its rights under the agreement (7/29/97) to Akanda Solutions LLC. RECORD S46-1104

MATERIALS AND SERVICES

1. **Computer Equipment (Public Defender)** - Purchase replacement computer equipment via State contract from Dell Marketing L.P., \$32,668.
2. **Copiers/Maintenance Service** - Sole source purchase of maintenance service for Konica and Minolta Copiers from Danka Industries, estimated annual total of \$40,000.
3. **Taylor Grade Road and Bunker Hill Road** - Award Bid IFB 98-4084DC, to Sarasota Land Services, Inc., \$1,062,919.80; subsequent execution of contract, dating of performance/payment bonds, and acceptance of insurance certificate.
4. **Traffic Loops** - Award Bid 98-6337AA to N & H Construction, Inc., not to exceed \$31,800.

LOCKBOX SERVICES

Issue Change Orders to P.O. P8000823 in the amount of \$97,944 to Intuition Systems, Inc., to extend the agreement for 24 months, estimated adjusted total of \$292,197.

SURPLUS PROPERTY

1. Classify excess vehicles as surplus property per Florida Statute 274.05 to enable appropriate and authorized disposition of said property in accordance with Procurement Code 84-02, Section 8.108; authorization to thereafter dispose of such property; and adoption
2. **R-98-239** RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER 125.38, FLORIDA STATUTES
(conveying truck, Asset 22488, to the Sheriff). RECORD S46-1105

ODOR AND CORROSION CONTROL SERVICE

Execution of Addendum 3 to Odor and Corrosion Control Service Agreement with Davis Water and Waste Industries, Inc., to extend the agreement for one year (to 3/28/99) on an as-required basis. RECORD S46-1106

PARKS AND RECREATION FEE SCHEDULE AND POLICY

R-98-226 A RESOLUTION RESCINDING RESOLUTION R-98-85 AND ESTABLISHING THE POLICY AND FEE SCHEDULE FOR THE MANATEE COUNTY PARKS AND RECREATION DEPARTMENT AND PROVIDING AN EFFECTIVE DATE. RECORD S46-1108

IMPACT FEE CREDIT

Execution of Final Authorization of Transportation Credit for The Gardens Mobile Home Park, Phases 3, 4 and 5 for eligible right-of-way dedication along U.S. Highway 301, per credit authorization CA-98-03(T), \$17,430. RECORD S46-1109

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(Continued)

FINAL PLATS**Boris Subdivision**

1. Final Plat.
2. Mortgagee's Joinder in Declaration Only from SouthTrust Mortgagee Corporation.

McAllister's First Subdivision

1. Final Plat.
2. Agreement with Robert E. McAllister to Defer Completion of Required Sidewalks. RECORD S46-1110

Robin's Nest

1. Final Plat
2. Agreement with Carl and Charlotte Rodenbaugh and Robin L. Neidert to Defer Completion of Required Sidewalks. RECORD S46-1111

30TH AVENUE WEST, PALMETTO

Ratify and confirm execution of interlocal agreement with City of Palmetto, \$1,553, for construction of a portion of 30th Avenue West, Shell Beach Subdivision, located within the city limits (correcting scrivener's error of 8/18/98). RECORD S46-1112

45TH AVENUE DRIVE EAST - ROAD ASSESSMENT PROJECT

Set a first public hearing on October 6, 1998, at 9:00 a.m., or as soon thereafter as possible, for a road assessment project on 45th Avenue Drive East.

29TH STREET WEST - ROAD/SEWER ASSESSMENT PROJECT

Set a first public hearing on October 6, 1998, at 9:00 a.m., or as soon thereafter as possible, for a road and sewer assessment project on 29th Street West.

29TH STREET EAST, ELLENTON - SEWER ASSESSMENT PROJECT

Set a first public hearing on October 6, 1998, at 9:00 a.m., or as soon thereafter as possible, for a sewer assessment project on 29th Street East, Ellenton.

98TH AVENUE EAST, BECK ESTATES, PARRISH - SEWER ASSESSMENT PROJECT

Set a first public hearing on October 6, 1998, at 9:00 a.m., or as soon thereafter as possible, for a sewer assessment project on 98th Avenue East in Beck Estates, Parrish.

BAD DEBT WRITE-OFF

Write off bad debts of \$152,522.09 Water/Sewer Fund 401, and \$72,032.49 to Solid Waste Fund 480 Fiscal Year 1997.

LANDFILL FEE WAIVER

Placement of five 20-yard roll-offs at the appointed sites September 19, 1998, for clean-up from City of Palmetto, Ward 1 District; and appropriate service and waiver of tipping fees at the landfill.

RECYCLING EDUCATION GRANT PART II

R-98-214 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE EXECUTION AND SUBMISSION OF AN EDUCATION/RECYCLING GRANT APPLICATION AND AGREEMENT TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE WASTE REDUCTION/RECYCLING PROGRAM

(application and agreement with Florida Department of Environmental Protection, \$127,824 10/1/98-9/30/99). RECORD S46-1113
S46-1114

DEEDS AND EASEMENTS

University Parkway (State Road 610) - Quit Claim Deed from the Florida Department of Transportation to conform with the recorded right-of-way map for University Parkway (State Road 610).

(End Consent Agenda)

RETIREMENT AWARD

A Retirement Award was presented to James W. Cates, Chief Equipment Operator, Transportation Department, honoring his 33 years of service to Manatee County Government.

EMPLOYEE SUGGESTION AWARD

A Certificate of Appreciation was presented to Susan Hunt, Code Enforcement Division, for her suggestion to place an employee bulletin board on the 6th floor of the Administration Building.

NACo AWARD - FOSTER CARE-CITIZEN'S REVIEW

Mr. Stephens presented the National Association of Counties (NACo) award to R. B. Shore, Clerk of the Circuit Court, for the Foster Care-Citizen's Review program that received national recognition.

(Depart Mr. Stephens)

PROCLAMATIONS

Delta Sigma Theta Week/Day

Motion was made by Ms. Brown, seconded by Mr. McClash and carried 6 to 0, to adopt a Proclamation designating September 12-19, 1998, as **Delta Sigma Theta Week** and September 18, 1998, as **Delta Sigma Theta Day**, commemorating the 20th Anniversary Celebration of the charter of Bradenton Alumnae Chapter of Delta Sigma Theta Sorority Inc. RECORD S46-1116
(Enter Mr. Stephens)

Hispanic Heritage Month

Upon motion by Mrs. Harris, and second by Ms. Brown, a Proclamation was unanimously adopted designating September 1998 as **Hispanic Heritage Month**. RECORD S46-1117

Manatee Players

Upon motion by Mr. McClash, and second by Mr. Stephens, a Proclamation was unanimously adopted designating September 15, 1998, as **Manatee Players Day** commemorating its fifty years of service to the community. RECORD S46-1118

FISCAL YEAR 1998-99 BUDGET

Ernie Padgett, County Administrator, reviewed the issues raised during the September 9, 1998, Fiscal Year 1998-99 budget hearing and presented recommendations.

Lighthouse for the Blind - Parents and Kids Program

He stated the request to the Children's Services Advisory Board (CSAB) was for \$26,500 with a budget recommendation of \$16,000. Staff does not recommend modifying the Advisory Board's recommendation.

Discussion: Additional funds should come from general revenue; policy decision should be made regarding those agencies suffering from cutbacks in State/Federal funding; obtain input from the CSAB as to why no increase was recommended; for what purpose the additional funds are requested, etc.

Fred Loveland, Community Services Director, stated a review process by the CSAB for funding programs from the Children's Services millage is necessary; and any program to be funded subsequent to the adoption of the County budget would require a public hearing.

Mr. McClash moved to send this issue back to the Children's Services Advisory Board to address the issues discussed at this meeting; to recommend any policy changes needed in funding agencies that are having shortfalls in their budgets due to lack of funding from previous sources; and not to have representation from the agency at the budget hearing, but to do it thereafter, since these monies are already allocated in reserves that can be increased at any time after the budget. Motion was seconded by Mrs. Stein and carried 5 to 2, with Ms. Brown and Mrs. Harris voting nay.

Heritage Museum

Mr. Padgett stated the original budget request was for \$75,000 and staff recommended \$50,000. He recommended \$75,000 with the caveat that the organization would not subsequently request operating funds for the museum.

Mr. McClash moved to accept the County Administrator's recommendation. Motion was seconded by Mr. Stephens. Motion carried 6 to 0, with Ms. Brown declaring a conflict of interest and abstaining from voting.

Homeless Coalition

Mr. Padgett stated the request was for \$60,000 with a recommendation of \$43,709. The majority of the additional funding is to enhance the ability to secure additional public and private grants-in-aid. Mr. Padgett recommended \$43,709 and that in-kind services be provided by the County to assist in such endeavors.

Motion was made by Mr. McClash, seconded by Mr. Bruce and carried unanimously, to accept the County Administrator's recommendation.

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Neighborly Senior Services

Mr. Padgett stated Neighborly Senior Services (NSS) has requested \$40,000 for Adult Day Care and \$15,000 for Alzheimer's Group Respite. Fred Loveland, Community Services Director, explained that in the past the County funded Meals on Wheels, which acted as a "pass through" to the Council on Aging, which is now Neighborly Senior Services, for adult day care. He reported the County continues to fund Meals on Wheels; however, Meals on Wheels has elected to fund a small adult day care program, which they now operate. Simultaneously, the County continues to provide a facility to NSS, through Meals on Wheels.

Staff recommended that the County explore the possibility of amending its current agreement with the West Central Florida Area Agency on Aging (WCFAAA) to allow for State Alzheimer's Disease Initiative (ADI) grant funds to be used for facility-based Alzheimer's day services rather than in-home services. This may be possible, as the County has received an increase in ADI grant funds available from \$109,792 in Fiscal Year 1997-98 to \$135,831 in Fiscal Year 1998-99.

Mr. Loveland was directed to explore the possibility of amending the grant agreement and providing additional County funds.

Discussion followed during which it was recommended a work session be scheduled to develop a mechanism in budget to provide flexibility, discuss the program, policy, etc.

(NOTE: Further action taken later in meeting regarding ADI.)

Anna Maria Island Turtle Watch, Inc.

Mr. Padgett recommended appropriation of \$3,000, which was the amount requested at the September 9, 1998, budget hearing.

Motion was made by Mr. McClash, seconded by Mrs. Stein and carried unanimously, to accept the County Administrator's recommendation.

Volunteer Services

The budget request was for \$49,609 and the amount recommended was \$49,927. The CSAB recommended \$39,000, with \$10,927 coming from General Revenue. Staff recommended that the CSAB funding recommendation not be modified.

Mrs. Harris explained that she requested (9/9/98) an additional \$5,000 stating the agency provides services above and beyond reasonable expectations, pointing out the savings in tax dollars as a result of those services. She disclosed that she is a member of the Board of Directors of Volunteer Services.

Motion

Motion was made by Mrs. Harris to take \$5,000 from general revenue for Volunteer Services for those activities that enhance this community. Motion was seconded by Mr. Bruce.

Mr. Bruce disclosed he has been involved with Volunteer Services since 1994 on their Board of Directors.

Teddy Williams, County Attorney, stated if a commissioner serves in a volunteer status without compensation and there is no financial benefit to them, they do not have a conflict within the meaning of the statute.

Discussion: Agency has not requested the additional funds; providing funds that are not requested, etc.

Substitute Motion

Mrs. Stein entered a substitute motion to accept the recommendation of the County Administrator and deny Mrs. Harris' request. Motion was seconded by Mr. McClash.

Mr. Stephens stated he would support the motion with the stipulation that it be sent back to Children's Services for review. Mrs. Stein and Mr. McClash accepted the stipulation as a friendly amendment to the motion.

Motion failed 3 to 4, with Mr. Bruce, Ms. Brown, Mrs. Harris and Mrs. Glass voting nay.

Vote on Original Motion

The original motion carried 4 to 3, with Mrs. Stein, Mr. McClash and Mr. Stephens voting nay.

METV

The budget request was for \$139,000 and the County Administrator recommended \$113,000. Mr. Padgett reported that Manatee County provided \$100,000 to METV in the Fiscal Year 1997-98. He recommended the additional \$13,000 for the METV operating budget be provided from the CATV Franchise Fund, and that the capital funding be provided by way of a transfer from CATV reserves.

Motion was made by Mr. McClash and seconded by Ms. Brown to accept the County Administrator's recommendation. Motion carried unanimously.

Manatee Cultural Alliance

MaJunta Bulovic, Manatee Cultural Alliance, requested a one-time increase of \$11,000 for the agency's telephone arts line/website and for printing its brochure.

The matter was referred to the Tourist Development Council.

Recess/Reconvene. All members present.

MANATEE OPPORTUNITY COUNCIL

Nominations were received for appointment of one person to the Manatee Opportunity Council Board of Directors (Manatee County employee seat):

Garnet McDonald - by Mrs. Harris
 Dana M. Della Costa - by Mrs. Stein

Motion was made by Mrs. Harris, seconded by Ms. Brown and carried unanimously, to close the nominations.

Garnet McDonald was appointed by majority vote.

PROPOSED SCHOOL SITES

Robert Pederson, Planning Department, reported that pursuant to Section 235.193(4), Florida Statutes, the School Board has requested a determination of Comprehensive Plan consistency for four proposed elementary school sites: **Site 6**, 3751 University Parkway; **Site 2**, northwest corner of Tallevast and Prospect Road; **Site 9**, 32nd Avenue East between 5th and 9th Streets; and **Site 11**, Police Athletic League (PAL) site south of 13th Avenue East and east of First Street.

He stated two of the sites are for a central corridor elementary school and two for a southeast elementary school. Site 6, in the Evers Watershed Protection Overlay District, would require a rezone to Planned Development and Sites 2, 9, and 11 can be reviewed by administrative permit.

Jon Prettyman, Planning Department, displayed a School Site Consistency Map depicting all four sites as well as an aerial and zoning map of Sites 2, 6, and 9.

Mark Barnebey, Chief Assistant County Attorney, advised that this is a new statutory requirement.

Discussion: Insufficient information at this point as to concurrency, water and sewer; etc.

Mr. Pederson stated staff review has shown the sites to be generally consistent with the Comprehensive Plan; however, there are concerns regarding traffic and pedestrian circulation, environmental protection issues, infrastructure, and compatibility with adjacent uses for all the sites. He submitted correspondence from Traffic Management (9/15/98), Transportation (9/11/98), and Public Works Department (9/12/98) addressing those issues, which will be reviewed in detail, when an application is submitted.

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He requested authorization for the Chairman to execute letters to the School Board regarding consistency with the Comprehensive Plan, including one letter acknowledging that **Site 11** had been **withdrawn**.

Carol Clarke, Planning Director, noted if the sites are consistent with the Comprehensive Plan Future Land Use Category, the local governing body (County Commission) may not deny the application, but can impose reasonable conditions. She pointed out that the Board may not have another opportunity to impose such conditions.

A recommendation was made that any information staff receives on school sites requiring administrative approval be provided to the Board. It was also recommended that a policy be established to notify adjacent property owners of proposed sites since administrative permits do not require notice be given.

Mike Pendley, representing the School Board, advised that the School Board will submit a site plan to the County. He reported they have not notified adjacent property owners at this time and he agreed to have the County notify adjacent property owners upon site selection.

Discussion: Requirements the County can place on School Board may be limited; notice to property owners should be given early in the process; whether changes are needed in the Land Development Code, etc.

Beverly O'Brien, representing the School Board, agreed with public notice in the newspaper regarding sites under consideration. She encouraged additional discussion regarding procedures, mutual expectations, etc.

Motion was made by Mr. Stephens to approve and authorize the Chairman to sign the letters to the School Board (including acknowledgment of **Site 11** withdrawal) regarding the consistency with the Comprehensive Plan of **Sites 2, 6, and 9**, and include attachments discussed at this meeting (memoranda dated 9/11/98, 9/12/98, and 9/15/98). Motion was seconded by Ms. Brown and carried unanimously.

Recess/Reconvene. All members present.

LINCOLN PARK

David Rothfuss, Assistant County Administrator, requested execution of the Lincoln Park Reimbursement Agreement, whereby the County will convey \$90,000. to the City of Palmetto. He explained that the City purchased an additional 1.23 acres for Lincoln Park for \$100,000. These funds can only be conveyed as reimbursement for costs incurred in development of the park by the City. He noted the Assistant County Attorney has expressed concern that should the project not proceed, the County may not be able to recover its contribution.

Motion was made by Mr. McClash, seconded by Ms. Brown and carried unanimously, to approve the request. RECORD S46-1119

LOCAL OPTION SCHOOL SALES TAX

Mr. Padgett relayed a request by the School Board of Manatee County (letter 8/26/98) to place the Local Option School Sales Surtax Referendum on the ballot in the November 1998 General Election. He requested authorization for the Chairman to sign a letter to the Supervisor of Elections requesting placement on the ballot.

Motion was made by Mr. McClash, seconded by Mrs. Harris and carried unanimously, to approve the request.

EXCESS PROPERTY INSURANCE

Bill Henry, Risk Management, requested authorization to purchase excess property insurance on County property, including separate coverage for the Lake Manatee Dam, boiler and machinery, dishonesty, and computer resources, and to expend up to \$785,000 for such coverage.

He distributed a breakdown of premiums for that coverage from the brokerage firm of Arthur J. Gallagher & Company.

Motion was made by Mrs. Harris, seconded by Ms. Brown and carried unanimously, to approve the request.

EXCESS LIABILITY INSURANCE; EXCESS WORKERS' COMPENSATION INSURANCE

Mr. Henry reviewed proposals for excess liability insurance and excess workers' compensation insurance.

He stated that in the past the County relied on the statutory cap of \$100,000/\$200,000; however, during the budget work session, the Board concurred in purchasing commercial insurance to cover excess liability. As to workers' compensation, he stated expiring coverage has a \$350,000 self-insured retention.

He submitted proposals from Ranger Insurance and A. J. Gallagher for \$5 million coverage with a \$500,000 deductible on liability and \$350,000 deductible on excess workers' compensation. The premium is \$233,000 for Ranger Insurance and \$234,500 for A. J. Gallagher.

Motion - Excess Liability

Mr. Bruce moved to authorize the County Attorney to purchase excess liability insurance and to expend up to \$250,000 for such coverage. Motion was seconded by Mrs. Harris and carried unanimously.

Motion - Excess Workers' Compensation

Motion was made by Mr. Bruce, seconded by Mrs. Harris and carried unanimously, to authorize the County Attorney to purchase excess workers' compensation insurance and to expend up to \$60,000 for such coverage.

THIRD PARTY - WORKERS' COMPENSATION

Mr. Henry requested execution of Addendum Four to Service Contract for Workers' Compensation Claims Handling with Johns Eastern Company, Inc., for a three-month extension (10/1/98-12/31/98) of Third Party Claims Administration contract.

He explained that Risk Management and Purchasing are negotiating the terms of a new contract and that Johns Eastern has been selected.

Motion was made by Mr. Bruce to approve the request. Motion was seconded by Mrs. Stein and carried unanimously. RECORD S46-1120

STATE HOUSING INITIATIVE PARTNERSHIP (SHIP) PROGRAM

Mr. McClash requested staff provide a recap of the types of projects for which SHIP funds are used, e.g., down payment assistance, infrastructure costs; etc.

Motion was made by Mr. McClash, seconded by Ms. Brown and carried unanimously, to authorize execution of agreements with: (1) MBK Properties, Inc. (Grove View); (2) Community Outreach and Restoration Center, Inc. (Washington Park); and (3) National Coalition for Affordable Housing, Inc. (North Orange Estates), to provide for the land use restriction agreement and deed restrictions for the development of affordable housing projects. RECORD S46-1121
S46-1122
S46-1123

ALZHEIMER'S DISEASE INITIATIVE GRANT

Motion was made by Mr. Stephens to authorize execution of Amendment 1 to rate agreement for Alzheimer's Disease Initiative ADIR99-3 with West Central Florida Area Agency on Aging, Inc., (WCFAAA) requiring copayment collection by Manatee County Aging Services clients of \$1,688, and allow staff to negotiate with the WCFAAA for a combination of in-house and facility-based treatment. Motion was seconded by Mrs. Harris and carried unanimously. RECORD S46-1124

MATERIALS AND SERVICES - OFFICE SUPPLIES

Regarding recommended bid award for office supplies to Keeton's Office Supply Company, Mr. Stephens questioned if this would preclude the County from using state or national contracts if advantageous.

Rob Cuthbert, Purchasing Director, stated this is not an exclusive agreement.

Motion was made by Mr. Stephens, seconded by Ms. Brown and carried unanimously, to award IFB 98-6067KK for the procurement of office supplies on an as required basis to the lowest responsive, responsible bidder meeting specifications Keeton's Office Supply Co., Inc., for an estimated annual total of \$100,000.

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COMMISSIONERS' COMMENTSTampa Bay National Estuary Program Policy Committee

Mrs. Stein reported that the Tampa Bay National Estuary Program Policy Committee will be voting on whether or not to admit the Tampa Bay Regional Planning Council as a voting member of the Policy Committee. It was the consensus of the Board to continue its opposition to that admittance.

Lakewood Ranch Park

Mr. McClash inquired as to the anticipated completion of Lakewood Ranch Park; commitments by the Board, Schroeder-Manatee Ranch, and the School Board; and what matters needed to be resolved.

Disposition: Referred to County Administrator.

Lakewood Ranch Park - Pool

Mr. McClash inquired as to what plans exist regarding the possibility of the YMCA putting in a pool at Lakewood Ranch Park. He recommended a dialog commence with the YMCA regarding location of a pool and the possibility of a joint use agreement. There were no objections.

Access Road to Hi-Stat

Ms. Brown requested a report as to the status of a proposed access road off U.S. 301 to Hi-Stat. Mr. Stephens explained there is a right-of-way issue regarding property on the north side of Hi-Stat. She requested staff advise Hi-Stat officials.

61st Avenue and 9th Street East

Mrs. Harris reported the design of the intersection at 61st Avenue and 9th Street East is a traffic hazard. She requested installation of a four-way stop sign.

Disposition: Referred to staff.

Water Flow Rate - Whitfield-Ballentine Area

Mrs. Harris reported there is major water line replacement taking place in the Whitfield-Ballentine area, which is causing difficulty with water flow rate. The Whitfield Volunteer Fire Department has requested the Public Works Department address the problem.

Disposition: Referred to staff.

Marina Drive - Roadway Damage

Mrs. Harris reported that Marina Drive has been damaged due to lift station repairs performed in Bayshore Gardens. She requested the road be repaired.

Disposition: Referred to staff.

BUDGET POLICY

Mr. Padgett reported that a procedure has been developed to address funding shortfalls caused by federal funding cuts, which includes review on a case by case basis, to assess shortfalls and assist affected agencies.

Discussion: New programs may not be funded; urgent needs can be addressed any time they occur; incentives for fund raising, etc.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:

Chairman 1/5/99