

DECEMBER 1, 1998

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, December 1, 1998, at 9:03 a.m.

Present were Commissioners:

Patricia M. Glass, Chairman
Joe McClash, Second Vice-Chairman, entering during the meeting.
Jonathan Bruce, Third Vice-Chairman
Stan Stephens
Lari Ann Harris
Amy Stein

Absent was: Gwendolyn Y. Brown, First Vice-Chairman, vacation

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 Major Terry Jordan, Chaplain of the SRQ Squadron Civil Air Patrol.

Presentation of Colors and the pledge of allegiance were conducted by Major Richard Grafton, Commandor; Second Lieutenant Debbie Merrick, Second Lieutenant Robert Bayless and four Cadets.

AWARDS/PRESENTATIONS/PROCLAMATIONS

Civil Air Patrol Week

Motion was made by Mr. Stephens, seconded by Mrs. Harris and carried 5 to 0, to adopt a Proclamation designating the week of December 1, 1998, as **Civil Air Patrol Week**. RECORD S46-1476

Major Richard Grafton announced the SRQ Composite Squadron Civil Air Patrol Awards Ceremony at Haile Middle School on December 11, 1998.

(Enter Mr. McClash)

Employee of the Year

Maria Prieto, Employee Recognition Program Committee, recognized the finalists for Employee of the Year: **Sally Dillard**, Planning Department; **Bill Ward**, Parks and Recreation Department (not present); **John Glidden**, Community Services Department; and **John Dean**, Transportation Department.

Paul "Tony" Tucker, Equipment Foreman, Transportation Department, was presented with a plaque for being selected as 1998 Employee of the Year. He was also presented with a lithograph of Manatee County from the Chamber of Commerce.

Paul "Tony" Tucker Day

Motion was made by Mrs. Harris, seconded by Mr. McClash and carried 6 to 0, to adopt a Proclamation designating December 1, 1998, as **Paul "Tony" Tucker Day** as Employee of the Year for 1998. RECORD S46-1477

CONSENT AGENDA

Motion was made by Mrs. Harris, seconded by Mr. McClash and carried 6 to 0, to approve the Consent Agenda dated December 1, 1998, with the following changes:

- **IMC-Agrico Ecosystem Management Team Permitting Agreement** - Deferred to December 8, 1998.
- **Manasota Basin Board Cooperative Funding** - Separate action.
- **West Glenn Playground - Memorial Tree Donation** - Deferred.
- **CVB Trade Show Participation (R-98-287)** - Separate action.

Items APPROVED:

CLERK OF CIRCUIT COURT

REFUNDS

Resurrected Power Church of God - Special Permit \$525.36
Application SP-98-23 Withdrawn

DECEMBER 1, 1998

(Continued)

Trey Desenberg - Land Development Text Amendment 770.03
LDC-97-01/Ordinance 97-72 Withdrawn

WARRANT LIST

Approve: November 24, 1998 through November 30, 1998

Authorize: December 1, 1998 through December 7, 1998

AUTHORIZE CHAIRMAN TO SIGN

Satisfaction of Judgement: James St. Fleur, 97-2274T

Local Law Enforcement Block Grant Program (approved 7/28/98):

Follow-up Information Form with Bureau of Justice Assistance

RECORD S46-1478

COUNTY ADMINISTRATOR**CHILDREN'S SERVICES DEDICATED MILLAGE AGREEMENTS**

Execute agreements for FY 1998-99 nonprofit agency funding with the following:

Easter Seal Society of Southwest Florida, Inc.
(Psychological Services) \$7,500 S46-1479

Manatee Family Young Men's Christian Association, Inc.
(Middle School Program) \$234,879 S46-1480

Manatee Family Young Men's Christian Association, Inc.
(Johnson Middle School Summer Service) \$32,082 S46-1481

Volunteer Services of Manatee County, Inc. (Manateens) \$16,000 S46-1482

Volunteer Services of Manatee County, Inc.
(Community Cornerstone) \$23,000 S46-1483

RECORD

NONPROFIT AGENCY FUNDING AGREEMENT

Execute FY 1998-99 nonprofit agency general revenue funding agreement with:

Consumer Credit Counseling Service of the Florida Gulf Coast, Inc.
(Budget Counseling Program) \$2,575

RECORD S46-1484

WEST COAST INLAND NAVIGATION DISTRICT

Execute Amendment One with University of Florida to agreement (12/2/97) with West Coast Inland Navigation District to extend the **Regional Waterway Management Systems Survey** project (CIP-24) one year, to expire November 13, 1999.

RECORD S46-1485

DONATIONS - CROSLY ESTATE

Accept donation in accordance with Ordinance 86-05 and procedures established by the County Administrator's office, from the **Crosley Estate Foundation, Inc.**, in the form of **five electric fireplace grates and logs**, with a total value of \$801.96.

CONVENTION AND VISITORS BUREAU - MARKETING TRAVEL EXPENDITURES

1. Expend up to \$900 in airfare and up to \$100 for automobile rental to bring two representatives of **Destination Marketing, Ltd.**, from London, England, for a travel industry seminar and to attend a County Commission meeting (12/8-9/98).

2. Expend \$1,750 for one German representative of **Global Contact** (County representative) to travel to Zurich, Switzerland, for the FOMA Golf Reisen (1/28-31/99) to represent the Bradenton area.

USED ARTICULATED 40-TON DUMP TRUCK

Execute Total Cost Agreement and subsequently date performance bond (bond received) with **Ringhaver Equipment Company, Inc.**, \$283,120, and guaranteed buy back amount of \$85,000.

RECORDS S46-1486

MATERIALS AND SERVICES

1. **Fairway Mower** (golf course maintenance) - Purchase one Toro fairway reel mower from **Wesco Turf, Inc.**, \$31,886.

2. **Force Main Rehabilitation - Palma Sola Area** - Award IFB 98-5358DC to the lowest responsive, responsible bidder meeting specifications, **Steve A. Clapper & Associates of Florida, Inc.**, \$982,684.80; and authorize subsequent execution of the contract, date performance/payment bonds, and accept insurance certificate.

3. **Group Long-Term Disability Insurance** - Enter into negotiations with the top-ranked firm, **CIGNA Group Insurance**, for group long-term disability insurance programs for employees of Manatee County Government and County Constitutional Offices; and subsequent execution of an Application of Insurance.

4. **Return Activated Sludge Pumps** - Award IFB 98-5557MP to the lowest responsive, responsible bidder, **Cardinal Contractors, Inc.**, \$104,000; and authorize subsequent execution of the contract, date performance/payment bonds, and accept insurance certificate.

5. **Utility Engineering Services** - Enter into negotiations with four top-ranked, short listed firms in order of ranking: McKim & Creed, Inc.; Post, Buckley, Schuh & Jernigan, Inc.; Greeley & Hansen, Inc.; and Zoller, Najjar & Shroyer, Inc.
6. **Visitors Guides** (CVB) - Award IFB 99-1246KK to the lowest responsive, responsible bidder meeting specifications, Interprint Web and Sheet Fed, (125,000 guides @ \$.26 each), for an estimated total of \$32,500.

INDIRECT COST ALLOCATION PLANS

Execute agreement with KPMG Peat Marwick, LLP, for indirect cost allocation plans for two years, fixed cost of \$15,000 per fiscal year, based on State Negotiated Agreement Price Schedule (SNAPS) 973698, with option to renew for two, two-year terms. **RECORD S46-1487**

LIBRARY MATERIALS

Execute Addendum 2 to extend agreement (5/14/96) with EBSCO, Inc., to provide subscription materials to County libraries for a second renewal period (5/14/98-5/13/99). **RECORD S46-1488**

RECREATION ADMINISTRATION SYSTEM

Execute agreement with Vermont Systems, Inc., for a computer aided recreation administration system with registration, point of sale, and parks maintenance management (including hardware, software, minimal data conversion, installation and integration), not to exceed \$44,845. **RECORD S46-1489**

PALMA SOLA BOULEVARD - SEWER LINE EXTENSION

Execute Change Order 2 to IFB 97-2695DC (1/20/98) with Nichter Contracting Corp., for an additional 118 calendar days to replace a gravity sewer line on Palma Sola Boulevard, for a revised completion date of September 10, 1998. **RECORD S46-1490**

TRANSPORTATION ENGINEERING SERVICES

Execute Addendum 2 to extend agreements (12/10/96) for one year (12/10/98-12/9/99) with the following firms: Post, Buckley, Schuh & Jernigan, Inc.; Parsons Brinckerhoff Quade & Douglas, Inc.; Wade-Trim, Inc.; and Lombardo, Skipper & Foley, Inc. **RECORD S46-1491**

S46-1492
S46-1493
S46-1494

PROCESSING OF WOOD/YARD WASTE (LENA ROAD LANDFILL)

Addendum 4 to extend agreement (4/2/91) with Consolidated Resource Recovery, Inc., for one year (1/1/99-12/31/99). **RECORD S46-1495**

POLICE ATHLETIC LEAGUE BALLFIELDS

Parks and Recreation to construct two ballfields at the Police Athletic League (PAL) facility with all costs (labor, equipment and material) paid for by PAL (estimated total cost of \$26,520).

BICYCLE/PEDESTRIAN PROGRAM FUNDING

Execute Memorandum of Agreement with Sarasota/Manatee Metropolitan Planning Organization (MPO) for completion of planning activities related to the Bicycle/Pedestrian Program (Task Number 3.08, FY 1998/1999 Unified Planning Work Program approved by MPO 4/27/98), not to exceed \$11,000 of Federal Highway Administration Section 112 funds and authorization for staff to transmit. **RECORDS S46-1496**

IMPACT FEE CREDIT

Final Authorization of Transportation Credit for Enterprise 1 Asset Group, L.L.C. (fka Palma Sola Enterprises, Inc.), CA-96-06(T) for eligible right-of-way dedication on 59th Street West (Kash & Karry), \$10,275.98. **RECORDS S46-1497**

FINAL PLAT - SABAL HARBOUR, PHASE I-A

1. Final Plat.
2. Agreement with Pulte Home Corporation guaranteeing completion of required improvements, \$1,035,732.54.
3. Performance Bond: \$1,035,732.54 (Letter of Credit P600535, SunTrust Bank, Atlanta).
4. Agreement with Pulte Home Corporation guaranteeing completion of required sidewalks and bikeways, \$7,229.44.
5. Performance Bond: \$7,229.44 (Letter of Credit P600536, SunTrust Bank, Atlanta).
6. Maintenance Agreement for Paver Brick with Sabal Harbour Homeowners' Association, Inc., (executed by Pulte Home Corporation, developer). **RECORD S46-1498**
7. Maintenance Agreement for Right-of-Way Island with Sabal Harbour Homeowners' Association, Inc., (executed by Pulte Home Corporation, developer). **RECORD S46-1499**
8. Agreement with Pulte Home Corporation for installation of private landscape improvements along 45th Street East, more specifically identified on Preliminary Site Plan PDR-97-11(P), along with Stipulations 2 and 3. **RECORD S46-1500**

DECEMBER 1, 1998

(Continued)

9. Declaration of Covenants, Conditions and Restrictions for Sabal Harbour.

FINAL PLAT - SUMMERFIELD VILLAGE, SUBPHASE C, UNIT 12

1. Final Plat.
2. Mortgagee's Joinder in Ratification of Subdivision Plat from Northern Trust Bank of Florida.
3. Mortgagee's Joinder in Ratification of Subdivision Plat from Lakewood Ranch Community Development District 1.
4. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements, \$272,221.49.
5. Performance Bond: \$272,221.49 (Surety Bond No. 127664, Frontier Insurance Company).
6. Agreement with SMR Communities Joint Venture guaranteeing completion of required sidewalks and bikeways, \$2,482.35.
7. Performance Bond: \$2,482.35 (Surety Bond No. 127665, Frontier Insurance Company).
8. Agreement with SMR Communities Joint Venture for installation of private improvements in subdivisions subsequent to Final Subdivision Plat Approval. RECORD S46-1501
9. Site Access and Drainage Affidavit Right-of-Way Irrigation and Utilization from Schroeder-Manatee Ranch, Inc., and Lakewood Ranch Community Development District 1.
10. Conservation Easement from Schroeder-Manatee Ranch, Inc., and Lakewood Ranch Community Development District 1.
11. Supplement Declaration by SMR Communities Joint Venture.

LAUREL OAK PARK - RIGHT-OF-WAY ISLAND

Execute Maintenance Agreement with Laurel Oak Park Homeowners' Association, Inc., for right-of-way island, landscaping, and irrigation at the intersection of 86th Street Northwest and 17th Avenue Northwest. RECORD S46-1502

TEMPORARY USE PERMIT FEE REFUND

Refund \$167 of Temporary Use Permit fees to Apex Holiday Tent and Bleacher Rental for a fireworks stand.

DEEDS AND EASEMENTS

1. **9th Street East/53rd Avenue East (SR 70)** - Warranty Deed from WDO Venture, Limited Partnership for dedication of additional rights-of-way for the final site plan for the Winn Dixie Marketplace; Affidavit of Ownership and Encumbrances; Partial Release from SouthTrust Bank.
2. **51st Avenue East Sidewalk Project** - Pedestrian Sidewalk Easements (11) and Affidavits of Ownership and Encumbrances from: Timothy E. and Sherry L. Kenny (**Parcel 1**) with Joinders (3) from First Federal Savings and Loan Association of Florida, First Union National Bank of Florida, and American General Home Equity, Inc.; William E. and Joyce E. Parker (**Parcel 2**); Doyle C. and Sandra J. Smith (**Parcel 3**) with Joinder from PNC Mortgage Corporation of America; John McNaughton, Harold Morrison and Michael J. McNaughton, d/b/a JHM Investments (**Parcel 4**); Thomas C. and Patricia J. Jelderks (**Parcel 5**) with Joinder from The Chase Manhattan Bank fka Chemical Bank; Edwin and Stacy V. Dowling (**Parcel 6**) with Joinder from G.E. Capital Mortgage Services, Inc.; Buck F. and Annette F. Hodges (**Parcel 7**) with Joinder from Home Savings of America; Alton J. and G. Lynette Goodwin (**Parcel 8**) with Joinder from CitiBank; Kelley and Carrie J. McPherson (**Parcel 9**) with Joinder from First Bradenton Bank; Charles H. and Terry L. Burcham (**Parcel 10**) with Joinder from SunTrust Bank, Gulf Coast; Larry M. Ervans (**Parcel 11**) with Joinder from Brasota Mortgage Company, Inc.
3. **Juvenile Justice Level 10 Facility/Port Manatee** - Utility Easement to Florida Power and Light Company for installation of a permanent power transmission line to the Department of Juvenile Justice Level 10 Facility at Port Manatee.
4. **819-301 Boulevard** - Special Warranty Deed from Land Resources Investment Co. for the purchase of the Florida Power and Light building and property; Affidavits of Seller (2); and authorization to purchase title insurance at a cost of \$8,975.
5. **Upper Manatee River Road/School House Road** - Warranty Deed and Utility Easement from Bruce Williams Farm Associates, Inc., and Myakka Valley Safaris, Inc., for rights-of-way for water and sewer lines as a condition of the Final Site Plan for Greenfield

Plantation Subdivision (PDR-95-08); Affidavit of Ownership and Encumbrances; Joinders from American Bank of Bradenton and Barnett Bank, N.A.; Partial Release from American Bank of Bradenton and Barnett Bank, N.A.

(End Consent Agenda)

Recess/Reconvene. All members present except Ms. Brown.

CONVENTION AND VISITORS BUREAU - TRADE SHOW PARTICIPATION

Following discussion held in the Civic Center Authority meeting, motion was made by Mr. Bruce, seconded by Mr. McClash and carried 6 to 0, to adopt

R-98-287 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING HOTELIERS OR OTHERS TO PARTICIPATE IN TRADE SHOWS ATTENDED BY THE MANATEE COUNTY CONVENTION AND VISITORS BUREAU; PROVIDING FOR ROTATION AMONG INTERESTED HOTELIERS; PROVIDING FOR A STIPEND TO DEFRAY COSTS; REQUIRING THE DEVELOPMENT OF A RELEASE AND INDEMNIFICATION AGREEMENT; AND AMENDING, REPLACING AND RESCINDING RESOLUTION R-98-12. RECORD S46-1503

(Depart Mrs. Harris)

STREET VACATION: REGENTS PARK AND ST. JAMES PARK

Public hearing (continued from 11/17/98) was held to consider

R-98-148-V A RESOLUTION ON APPLICATION BY WOODLANDS COUNTRY CLUB ASSOCIATES, VACATING LOT 26 AND TRACTS RPB (COMMON AREA) AND A PORTION OF TRACT NRI OF REGENTS PARK SUBDIVISION, AND PORTIONS OF TRACTS NRI AND SJPD (COMMON AREA AND A PRIVATE RIGHT-OF-WAY, KNOWN AS FAIRHAVEN GLEN) OF ST. JAMES PARK SUBDIVISION, LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF FAIRHAVEN GLEN AND REGENTS COURT.

Jim Staples, Land Acquisition Division, stated the request is to reconfigure the site to add one residential lot. The public hearing was continued from November 17 due to concerns from legal staff regarding the request to vacate the common open space. The concerns have been addressed in a memorandum from Carol Clarke, Planning Director, dated November 23, 1998.

Motion was made by Mr. McClash, seconded by Mrs. Stein and carried 5 to 0, to adopt Resolution R-98-148-V. RECORD S46-1504

COMPREHENSIVE PLAN AMENDMENTS

Public hearing (continued from 11/17/98) was opened to consider

ORDINANCE 98-03 AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR TEXT AMENDMENTS TO THE PORT MASTER PLAN IN CHAPTER 4, COASTAL ELEMENT, TO UPDATE OBSOLETE INFORMATION REGARDING FACILITIES, SHIPPING, AND DREDGING, ELIMINATING UNNECESSARY CARGO INFORMATION, AND ADDING MORE INFORMATION REGARDING THE HENDRY TRACT ADDITION TO THE PORT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (PA-98-02 - Port Manatee Master Plan)

Carol Clarke, Planning Director, stated Plan Amendments PA-98-02 and PA-98-06 were transmitted to the Department of Community Affairs (DCA) for review and comment. DCA made objections to both proposed amendments. She recommended staff review DCA's objections, that public comment be taken, and that both Plan Amendments be continued to December 15, 1998. She advised that Port staff has a meeting with DCA representatives on December 2, 1998, to finalize the plan document.

(Enter Mrs. Harris during presentation)

Laurie Suess, Planning Department, outlined the Response to DCA's Objections, Recommendations, and Comments Report/Cycle II, 1998 containing 11 objections. RECORD S46-1505

(Mrs. Stein absent for a portion of presentation)

DECEMBER 1, 1998

(Continued)

Ken Scarbrough, Port staff, read the amended Growth Goal 2.1 (Page 7 and 8 of the Plan). It was requested that the wording of Growth Goal 2.1 be included at the beginning of Section 3.1.

Ms. Clarke stated the language had been included in the Plan with the Intermodal Land Use Study, but was inadvertently deleted during the elimination of Intermodal Land Use Study language. It was requested the words based upon user needs, market demand, financial feasibility and environmental compatibility, be inserted into the first paragraph of Section 3.1 after the words **amendments or replacements**.

Mr. Scarbrough stated the Preamble was deleted at the request of the DCA Secretary, James F. Murley, who determined that the language was not necessary in the planning document.

Discussion: No objections to deleting word **consider** from Policy 2.4.1.6 for a more positive statement; boundaries of conservation lands, etc.

Mark Barnebey, Chief Assistant County Attorney, stated PA-98-02 is a Port Authority document and must be incorporated into the County's Comprehensive Plan. The amendment will be approved by the Port Authority at a later date.

Tom Reese, representing ManaSota-88, stated the staff report does not acknowledge his September 18, 1998, letter to Chairman Glass, which he submitted as part of the record.

He stated the Preamble gives assurance that decisions regarding the Port's long-range plans are conceptual. Furthermore, he stated the Port Authority's decisions were used to submit permit applications to the Corps of Engineers and Department of Environmental Protection for Berths 4, 5, and new Berth 12, before definitive action was taken.

Discussion: Formal long-range plan; incorporating goals into the Plan that are unenforceable without the implementation policy; request language indicating the enforceability of goals and objectives, etc.

Motion was made by Mrs. Harris, to continue the public hearing for Ordinance 98-03 (PA-98-02) Port Manatee Master Plan to December 15, 1998, at 9:00 a.m., or as soon thereafter as same may be heard, in these Chambers. Motion was seconded by Mr. Bruce.

Discussion: Include changes made at this meeting and clarification on whether to incorporate the goals, objectives, and policies as binding, or to bring back a separate policy statement; Port expansion is based upon environmental compatibility, financial feasibility, and market demands; implication of keeping the Preamble.

Motion carried 6 to 0.

Public hearing (continued from 11/17/98) was opened to consider

ORDINANCE 98-23 AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA... PROVIDING FOR AN AMENDMENT DELETING FISCAL YEAR 1998 AND APPLICABLE DATA, AND ADDING FISCAL YEAR 2003 AND APPLICABLE DATA TO TABLE 12-1, 12-2, 12-3 AND 12-4 OF THE CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR AN AMENDMENT TO TABLE 12-1 SCHEDULE OF CAPITAL IMPROVEMENT PROJECTS, FY 1998-2002, INVOLVING REVISIONS TO SCOPE, FORMAT, TIME FRAME, COSTS, FUNDING SOURCES, AND CONTENT TO TRANSPORTATION PROJECTS, DRAINAGE PROJECTS, PARKS PROJECTS, SANITARY SEWER PROJECTS, SOLID WASTE PROJECTS, POTABLE WATER PROJECTS, AND MASS TRANSIT PROJECTS; PROVIDING FOR COUNTERPART AMENDMENTS TO TABLE 12-2, GENERAL GOVERNMENT FUNDING OF CAPITAL IMPROVEMENTS, FY 1998-2002; TABLE 12-3, ENTERPRISE OPERATIONS FUNDING OF CAPITAL IMPROVEMENTS, FY 1998-2002; TABLE 12-4, SUMMARY OF REVENUES AND EXPENDITURES FOR CAPITAL PROJECTS, FY 1998-2002; PROVIDING FOR THE AMENDMENT OF RELATED INFORMATION NECESSARY TO IMPLEMENT THE CHANGES TO THE CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
(PA-98-06; Capital Improvement Element)

Motion was made by Mrs. Stein, seconded by Mr. Bruce and carried 6 to 0, to continue the public hearing for Ordinance 98-23 (PA-98-06) to December 15, 1998, at 9:00 a.m., or as soon thereafter as same may be heard, in these Chambers.

Recess/Reconvene. All members present except Mrs. Stein and Ms. Brown.

NORMA LLOYD PARK

Dan Hopkins, Parks and Recreation Director, stated that on behalf of **Manatee East Little League**, Norma Lloyd requested (9/1/98) assistance to convert the existing little league field (field 3) at Norma Lloyd Park (a/k/a 24th Street East Park) into a Babe Ruth field. Staff provided a list of improvements at a cost of \$156,500.

Mr. Hopkins advised that the Norma Lloyd Park is a City-owned park that is leased to the little league, but is maintained by the County. County maintenance is limited to daily upkeep with minor capital improvements. He recommended City of Bradenton and County staff meet to discuss the request and financial impacts.

(Enter Mrs. Stein during discussion)

Discussion: Cost to convert one field is excessive; channel efforts to the 66th Street athletic facility; examine individual school facilities; develop a fund-raising plan; convert one of the PAL fields to a Babe Ruth field and add lighting; the need for Babe Ruth fields throughout the County, etc.

Following discussion, Mr. Hopkins stated that staff will examine available options and report back to the Board.

1912 CORTEZ SCHOOLHOUSE

Charles Hunsicker, Ecosystems Manager, presented a Conceptual Approval Agreement with Florida Communities Trust (FCT), which outlined requirements the County must satisfy prior to receiving FCT Preservation 2000 Grant funds for acquisition of the 1912 Cortez Schoolhouse and nature preserve site.

He stated the acquisition cost is \$440,200 (FCT [88 percent]-\$387,376; County [12 percent]- \$52,824). The County and Sarasota Bay National Estuary Program (SBNEP) have committed to initial capital improvements of \$72,450 (County \$26,450; SBNEP \$46,000), with the County assuming land management duties at an estimated annual cost of \$1,600.

RECORD S46-1506

Discussion: Wetland restoration and public access improvements (SBNEP letter 11/19/98); Facility Management Department estimate of \$90,000 to \$120,000; seek funds through legislative program; recommendation that Manatee County Historical Society and Florida Institute for Saltwater Heritage, Inc. (FISH) manage the property; FISH has offered to contribute to the expenses of day-to-day maintenance of the property; formal management plan does not exist; certain details need to be finalized; the property remains on the market, etc.

Tedd Williams, County Attorney, advised that an acquisition agreement between the County and the seller (Estate of Robert Sailors) was forwarded to the FCT for approval before execution (required by FCT).

Karen Bell of Cortez, stated FISH is strongly committed to the project and has set aside donations along with festival funds.

Discussion: The need to establish a community-based organization similar to the Crosley Foundation; staff will bring a draft management plan (discussed 4/7/98) back to the Board.

Motion was made by Mr. Bruce, seconded by Mrs. Harris and carried 6 to 0, authorizing the Chairman to execute the Conceptual Approval Agreement with Florida Communities Trust for the use of State funding for joint State/County acquisition of the 1912 Cortez Schoolhouse property and grounds (and Confidentiality Agreement).

RECORD S46-1507
S46-1508

Staff was instructed to invite the Florida Department of Environmental Protection, Division of Parks, to share ideas on training, recruiting and utilizing volunteers.

DECEMBER 1, 1998

(Continued)

RIVERVIEW POINTE

Motion was made by Mr. McClash, seconded by Mrs. Harris and carried 6 to 0, authorizing execution of the Conceptual Approval Agreement with Florida Communities Trust for use of Preservation 2000 Grant

Award funding to reimburse the County for 88 percent of total acquisition costs of the 9.1-acre Riverview Pointe Park property adjacent to DeSoto National Memorial Park for conservation and recreational open space.

(Estimated cost, \$1,813,165 (FCT [88%] - \$1,595,585; County [12%] - \$217,580; Land Management Cost estimate included). RECORD S46-1509
RECORD S46-1510

(Depart Mr. Stephens)

PUBLIC WORKS ADMINISTRATION BUILDING

Motion was made by Mr. McClash, seconded by Mrs. Harris and carried 5 to 0, to authorize the County Attorney's office, in coordination with the Public Works Department, to: (1) pursue corrective action on the part of Coatings Application and Waterproofing Company (contractor) and Continental Casualty Company (Surety), (2) default the Contractor if and when deemed appropriate, (3) retain roofing related expert(s) as deemed appropriate, and (4) file and prosecute a lawsuit against the Contractor and Surety, if and when deemed appropriate, all as related to roof rehabilitation on the Public Works Administration Building, 4410 66th Street West (Invitation for Bid No. 97-3049DC).

1999 LEGISLATIVE PROGRAM

Mrs. Harris requested staff include in the 1999 Draft Legislative Program, support of continuing the funding of the Florida Highway Patrol "Wolfpack" (laser radar guns) if it is determined that funding was cut last year.

(Enter Mr. Stephens)

James Seuffert, Financial Management Director, advised that the issue and the Legislative Program will be brought back December 8, 1998.

Mr. Seuffert outlined the changes to the 1999 Legislative Program that have been incorporated since the initial draft package was presented (11/3/98). RECORD S46-1511

Discussion: Give radar guns to Sheriff if funding was cut; opening up the public hearing process since Constitutional Amendment 10 was defeated, etc.

(Depart Mr. Bruce)

MANASOTA BASIN BOARD COOPERATIVE FY 1999-2000 FUNDING PROGRAM

John Zimmerman, Public Works/Water Division Manager, submitted a memorandum (12/1/98) based on a request (11/24/98) to make application to the Southwest Florida Water Management District (SWFWMD) Cooperative Funding Program for the Wares Creek Flood Control Project. He requested amending the Summary of Project Ranking to include the Wares Creek Project as Priority Project 2 for \$346,000 of Manasota Basin Board funds.

He requested the Board (1) approve the amended Summary of Project Ranking for the FY 1999-00 Manasota Basin Board Cooperative Funding Program; (2) adopt Resolution R-98-296; and (3) authorize the Chairman to sign a letter of transmittal to Steve Minnis, SWFWMD. He submitted

R-98-296 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY, FLORIDA, SUBMITTING APPLICATIONS FOR THE MANASOTA BASIN BOARD COOPERATIVE FUNDING PROGRAM FOR FISCAL YEAR 1999-2000 TO THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (authorizing the Chairman or Vice-Chairman to execute all appropriate documents associated with the submission of the applications and related documents required).

(Enter Mr. Bruce)

Motion was made by Mrs. Harris to approve the request as presented. Motion was seconded by Mr. McClash and carried 6 to 0. RECORD S46-1512

COMMISSIONERS' COMMENTS

Travel Policy - Legislative Session - Mr. Stephens questioned the travel policy for attending the Legislative Session in Tallahassee.

Mr. Padgett advised that travel, as part of organizations to which Board members belong, is covered under the annual travel approval.

Fence Installation/Removal Policy - Mr. Stephens stated he received a telephone call from a gentleman who stated he has been required to sign an agreement to remove a fence on his property (and pay for reinstallation) in the event the County needs access through an easement. The gentleman stated there was not an easement.

Mr. Stephens asked to see the standard policy regarding easements and access relative to fence installation.

Public Notice Advertisements - Mr. McClash requested the County Administrator bring back for review in January 1999, a sample public notice for land use hearings in layman's terms, along with a location map as a supplement to the legal notice requirements. He stated the Planning Commission notices should also be advertised in this manner.

Landspreading of Tomatoes (Ellenton) - Mrs. Stein requested the County Administrator review a situation relating to landspreading of tomato waste in an area to an extent that Ellenton residents have raised concern of a potential health hazard.

Street Vacation - 52nd Place East - Mr. Bruce stated application for the vacation of 52nd Place East (behind Eckerd's on State Road 70), located at the entrance of Creekwood Subdivision, was made several months ago and has not yet taken place. He questioned the delay.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:

Clerk

Stan Stephen

Chairman 1/19/99

Adj: 11:53 ca. m.