

March 23, 1961

The Board of County Commissioners of Manatee County, Florida, met in SPECIAL SESSION in the Court House in Bradenton, Florida, Thursday, March 23, 1961 at 4:30 p.m.

Present were Commissioners Earl Bibey, Irwin Klemmer and W. E. Crist and Deputy Clerk Bruce M. Cox.

The meeting was called to order by Chairman Crist.

COURT HOUSE AUTHORIZED CLOSED FOR DESOTO CELEBRATION THUNDERBIRD SHOW

Motion was made by Mr. Bibey that, upon concurrence of the two absent members of the Board, the offices of the Court House and other county departments be authorized to close from 12:00 noon until 2:00 p.m., Friday, March 24, 1961 in order that the personnel might view the Thunderbird Show (U.S. Air Forces) in connection with the DeSoto Celebration, and that resolution to that effect be adopted. Motion was seconded by Mr. Klemmer and carried.

RECORDED A16-128

Note: Commissioners Slaughter and Bustle were contacted by telephone and they concurred in adoption of the Resolution.

There being no further business, the meeting was adjourned.

ATTEST:

M. T. McInnis, Clerk

Bruce M. Cox  
Deputy Clerk

APPROVED

W. E. Crist  
Chairman

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MARCH 27, 1961

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Monday, March 27, 1961 at 9:30 a.m.

Present were Commissioners Earl Bibey, H. C. Slaughter, Irwin Klemmer, Elmer Bustle and W. E. Crist, Deputy Clerk Bruce M. Cox and County Attorney James Adams.

The meeting was called to order by Chairman Crist.

Minutes of previous meetings (March 6, 7, 10 & 17, 1961) were read and approved upon motion by Mr. Klemmer, seconded by Mr. Bustle.

STATE ROAD 55  
RIGHT OF WAY AGENT AUTHORIZED OFFER HOUSES FOR PURCHASE TO PRIOR OWNERS

Robert Moon, Right-of-way Agent, recommended that the houses located on property acquired for right-of-way of State Road 55 (north of the Manatee River), Section 13130-2102, be offered to the former owners at twenty to twenty-five percent of the purchase price of the houses, all buildings to be moved from the right-of-way at no expense to the county, and within a specified length of time. As a basis for his recommendation

- 1) Regarding resale price, he explained the cost involved to the former owner of purchasing another site and the expense of moving the building;
- 2) The advantage to the county of taking steps toward clearing the right-of-way without delay instead of waiting until the State Road Department was ready to begin construction and

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the possibility of then having to dispose of the buildings in an emergency.

Motion was made by Mr. Slaughter that Mr. Moon be authorized to contact the property owners (former owners of the property acquired for the r/w) regarding offer for resale in accordance with the proposal outlined. Motion was seconded by Mr. Klemmer and carried.

MYAKKA CITY, PLAT OF  
PUBLIC HEARING ON PETITION TO VACATE PORTION

PUBLIC HEARING CONTINUED

Public hearing, continued from March 6, 1961, was held on petition of GLEASON R. and OLLIE B. LONG and CHARLIE and EVA MAE McLEOD, to close a portion of the Plat of MYAKKA CITY.

Resolution recommending the vacation of that portion of the plat petitioned was submitted by the Planning and Zoning Commission.

Mr. James Wallace, attorney, submitted petition (signed by property owners of other portions of the plat) opposing the vacation of any portion of the plat and requesting that the petition be denied.

Mr. Charlie McLeod and Mrs. Ollie B. Long, petitioners, appeared in support of their petition to close those streets shown on the plat and described in the petition, stating that none of them had ever been opened to the public or maintained by the county.

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, the public hearing was continued until Monday, April 3, 1961.

CEDAR HAMMOCK DRAIN  
COUNTY ENGINEER AUTHORIZED TO PROCEED WITH IMPROVEMENTS (SEE 3:00 P.M. SESSION)

Mr. William J. Daniel, attorney, came before the Board to discuss the problems confronting development in Windsor Park Subdivision, relative to the Cedar Hammock Drain improvements designed to improve the drainage in the entire area. He advised that Southern Realty (Windsor Park) had completed the canal through the development, as recommended by the county engineer, but since the county had not taken steps to tie into the existing canal a drainage problem had resulted, which necessitated the use of pumps to prevent flooding, but if no outlet is provided by the time the rainy season begins there will be undetermined damage from the excess water.

The cost of improving the drain was discussed.

The county engineer estimated that minimum cost would be from \$5000 to \$6000, depending on the amount of rock to be removed in the deepening process, this estimate to include pipe for 43rd and 51st Streets (\$2000.00). He explained that this covered only temporary improvements, which should be started immediately as emergency in order that the facilities would be available to carry the excess water to be expected in another three or four months.

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, this matter was tabled until 3:00 p.m. to give the Commissioners an opportunity to study the budgetary status and for personal reconnaissance.

Z O N I N G

RECOMMENDATIONS BY PLANNING & ZONING  
COMMISSION

Mr. William Vines, Planning Director, submitted resolutions of the Planning & Zoning Commission recommending approval or denial of changes in the Comprehensive Plan of Manatee County:

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Recommended for approvalR-8  
R-19FROM C-3 TO C-1  
35-35-17  
36-35-17The East 510 feet of SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 35, Twp. 35 So., R 17E.;  
ALSO  
Begin NW Corner of SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sect. 36, Twp. 35 So., R 17E; thence East 90 feet; thence Southeasterly 245 feet; thence East 168.95 feet; thence Southeasterly 500 feet; thence West to West Section Line 600 feet; thence North 660 feet to POB, all lying West of U.S. 41 and South of Braden Aveue and North of County Line. (Trail Drive In Theatre)

APPROVED

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, recommendation of the Planning and Zoning Commission was accepted and the rezoning so approved.

Recommended for approval

R-20

FROM C-3 TO C-2  
Southland Park

Lots 1 through 10, inclusive, and Lots 27 and 28 of Blk A of SOUTHLAND PARK SUBDIVISION, lying East of State Road 683 and West of 15th Street East between 49th Avenue, East, and 49th Ave. Drive East.

APPROVED

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, recommendation of the Planning and Zoning Commission was accepted and the rezoning so approved.

Recommended for denialR-5  
R-11

FROM A TO C-1 and R-1A

The SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sect. 28, Twp. 35 South, R 18E, said property being also described as: TALLEVAST HOMELAND SUBDIVISION, as per plat thereof recorded in Plat Book 2, Page 150, of the Public Records of Manatee County, Florida.

DENIED

Upon motion by Mr. Bustle, seconded by Mr. Bibey, the recommendation of the Planning and Zoning Commission was accepted and rezoning was denied without prejudice.

Recommended for approval

SE-5

CHURCH

The South 152.35 feet of Lot 3 and South 70 feet of the North 490 feet of Lot 3 of CALBERT-HAUSER SUBDIVISION as per Plat thereof recorded in Plat Book 8, Page 3 of the Public Records of Manatee County, Florida

APPROVED

Upon motion by Mr. Bustle, seconded by Mr. Bibey, recommendation of the Planning and Zoning Commission was accepted and the Church site was approved.

Recommended for denial

R-21

FROM R-1A TO PR

Lots 1, 17 and 18 of Block 1;  
ALSO: Lots 1, 17, 18 and 19 of Block 2, GOLF CLUB ESTATES SUBDIVISION, lying South of Manatee Avenue W. between 46th Street W. and 49th Street W., in section 28, Township 34 South, R 17E.

DENIED

Upon motion by Mr. Klemmer, seconded by Mr. Bibey, the recommendation of the Planning and Zoning Commission was accepted and rezoning was denied without prejudice.

Recommended for approval

R-16

FROM R-2 and R-1A TO  
C-NEIGHBORHOOD COMMERCIALThe East 460 feet of the South 500 feet of the E $\frac{1}{2}$  of NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sect. 28, Twp. 34 South, R 17E;  
ALSO the West 80 feet of SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sect. 28, Twp. 34 South, Range 17 E., LESS R/W for road off South. (Sugg)

APPROVED

Motion was made by Mr. Bustle that the recommendation of the Planning and Zoning Commission be accepted and the rezoning approved. Motion was seconded by Mr. Slaughter. Upon call for vote, Mr. Bibey abstained from voting. Motion carried.

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Recommended for approval

FROM R-1A TO GU

Lot 1, Unit 1, SAN REMO SHORES, plus a parcel beginning at the SE corner of Lot 1, Unit 1, San Remo Shores, thence run South 40 feet; thence West 192.50 feet; thence North 40 feet; thence East 192.50 feet to the point of beginning, all lying in Sect. 1, Twp. 35 South, Range 16 East.

APPROVED

Upon motion by Mr. Klemmer, seconded by Mr. Bibey, the recommendation of the Planning and Zoning Commission was accepted and the rezoning approved.

Mr. Vines advised that the Planning and Zoning Commission had adopted a recommendation that was adverse to the proposed legislative act, in the form presented by the Conservation Alliance, whereby all bay bottom lands outside of the bulkhead line could be used only for recreational purposes.

DAVIS, MABLE W.

SUPERVISOR OF REGISTRATION

REQUEST FOR ADDRESSOGRAPH-MULTIGRAPH EQUIPMENT and ADDITIONAL SPACE

TABLED

Mrs. Mable W. Davis, Supervisor of Registration, came before the Board to present proposal prepared by Addressograph-Multigraph Corporation, which would provide uniform and complete voters' records, simplify maintenance of such records and simplify compilation of voter statistics. She advised that the registration system now in the office was incomplete and cannot handle increase in registration evidenced during a given period (1959-1960) if such increase is maintained in the future, and urged the Board to give favorable consideration toward the purchase of equipment that would provide a water-proof and fireproof record of the registered voters of Manatee County.

This matter was deferred by the Board for further discussion for the project to be included in the budget.

Mrs. Davis also requested immediate attention to providing adequate space for preservation of vital records which should be kept in the Registrar's office, but due to the space problem, were being stored in the basement of the court house.

The matter of purchasing new Registration Forms (printed) was taken under advisement. (If purchase of newer equipment considered the printed forms will have to be different.)

CURTIS, EARL

ROAD IMPROVEMENTS IN DISTRICT NO. 5 TO BE INVESTIGATED

Mr. Earl Curtis, a dairyman in the eastern part of the county (District No. 5), asked if the county was going to build a road into his property (which also serves other property owners), for which right-of-way easements or deeds had been given several months ago.

Chairman Crist, in whose district the property is located, advised that as he had explained to Mr. Curtis, there were no funds available for this purpose at this time and the matter had been referred to the County Attorney for his opinion; that consideration would be given to the request after the new budget year if all legal aspects concerning the right-of-way and project were in order.

CORTEZ COMPANY, THE

ADVISED TO SUBMIT NEW APPLICATION FOR CONSTRUCTION OF SEAWALLS OR FILL

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William Vines, Director of Planning, advised that THE CORTEZ COMPANY had submitted application for processing the filing for permit for constructing a seawall or fill, and had paid the required fee, at the same time as applying for the establishment of a bulkhead line, but no disposition had been made concerning application for fill and the owners wished to proceed with development of the subdivision. He explained that the proposed subdivision at that time would lie outside the bulkhead line, as now approved, and on that basis the Planning and Zoning Commission recommends denial.

Merle Geoffrion, engineer for the Cortez Company, stated that his client had filed application and paid the required fee on January 14, 1958, but that no follow-up had been made when the bulkhead line was established; that they were under the impression that the application had been properly filed, and in the light of the Planning and Zoning Commission's recommendation for denial, and such denial would constitute denial for use of submerged lands, there was no alternative but to seek relief from the courts.

The county attorney advised that application for establishment of bulkhead line and application for dredge and fill were two separate and distinct matters and would recommend that the Board make no decision as regards The Cortez Company and whatever fees had been paid should apply on any application made at the present time.

Upon motion by Mr. Bibey, seconded by Mr. Klemmer, The Cortez Company was advised that new application should be made, with any fee paid to apply on the present cost of filing such applications (based on the area involved.)

JUVENILE COUNSELOR

TABLED UNTIL AFTERNOON SESSION

Commissioners Klemmer and Bibey gave a report on their investigations relative to the need for a woman Juvenile Counselor, which had been requested by County Judge Robert Rickey and discussed in previous meetings. They recommended employing an individual in the office to maintain records, this recommendation to grant authority to employ a clerk who had been previously employed and was experienced in keeping this type record.

Judge Rickey stated that employing a typist would not fulfill the need for a counselor.

This matter was discussed at length and tabled for further discussion until 3:00 p.m. or shortly thereafter.

The Board adjourned until 1:30 p.m.

1:30 P. M.

The Board reconvened at 1:30 P.M., March 27, 1961, with all members present.

The meeting was called to order by Chairman Crist.

WARRANT LIST APPROVED

REQUISITIONS APPROVED

Upon motion by Mr. Slaughter, seconded by Mr. Bustle, Warrant Lists of March 27 and 31, 1961 were approved and Warrant List of April 3, 1961 was authorized.

Upon motion by Mr. Bibey, seconded by Mr. Bustle, requisitions were approved.

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## BILLS APPROVED FOR PAYMENT

Upon motion by Mr. Slaughter, seconded by Mr. Klemmer, the following bills were approved for payment:

Manatee County Public Relations Bureau	1232.40	
Howze & Associates	600.00	
Pullara & Watson	4550.00	
Robert A. Rickey	( 300.00	for legal services:
	(	American Oil Co.
	(	vs. Manatee County
	( 250.00	Schwind et al
	(	vs Purinton &
	(	Manatee County
Seaboard Air Line Railroad Company	25.00	(lease)
Shoup Voting Machine Company	19.20	
De Soto Celebration Association	1860.73	
Dr. Frederick L. Patry	300.00	
Manatee County Insurance Agency	446.62	
John V. Moss	25.60	
Henry P. Hoffstat, Jr., and Barbara Hoffstat		
Jenkins: Refund of taxes paid on sub-surface rights (approved by county attorney)	18.59	

HAZELTON, RALPH

## ELECTRICAL CONTRACTOR'S BOND APPROVED

Upon motion by Mr. Bustle, seconded by Mr. Bibey, the following bond was approved:

Electrical ContractorRALPH HAZELTON  
U.S. FIDELITY & GUARANTY CO.

CLOSING MANATEE RIVER, EAST OF GREEN BRIDGE, TO NET FISHING PLAN TO SET ASIDE FOR SPORTS FISHING APPROVED

Mr. Byron Saunders, a resident of Rocky Bluff and member of Salt Water Fishing Association, Manatee Chapter, requested that the Board initiate steps to have the Manatee River, east of Green Bridge, set aside for sports fishing.

Commissioner Bibey advised that he had been requested by residents along the Braden and Manatee Rivers, as well as other individuals interested in sports fishing, to submit proposed bill to ban net fishing in order that sports fishing could be pursued without interference from commercial fishermen.

Mr. Bibey stated that if it was in order he would move for the adoption of a resolution that the County Commissioners approve an act (copies submitted for study) to close the Manatee River from Green Bridge, east, to commercial fishing with recommendation that the legislators be requested to get it through this session.

The county attorney advised that the bill could be approved in intent, but it would have to be re-drawn; that there was much doubt that it could be passed this session.

Motion was made by Mr. Bibey that the general plan and idea be approved and followed through. Motion was seconded by Mr. Klemmer and carried.

PROCLAMATION BY GOVERNOR BRYANT : "OPEN COURT HOUSE" MARCH 27 - 31, 1961  
COUNTY OFFICES REMAIN OPEN UNTIL 8:30 P.M. MARCH 30

Chairman Crist read Proclamation by Governor Bryant proclaiming March 27-31, 1961, as COUNTY GOVERNMENT WEEK in Florida encouraging "the several counties to develop their own observances of this occasion, built around a public invitation to the citizenry to visit their local county courthouse, to observe the duties, services and functions of its several departments as part of a state-wide program of "Open Court House" in the 67 counties of Florida," and recommended that Thursday, March 30th be observed in compliance with the proclamation and directive be issued that all offices under the jurisdiction

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of the Board will remain open until 8:30 p.m. on that date, all other offices not directly under the County Commission requested to adopt similar hours. All members of the Board concurred in this recommendation, and so ordered.

CORRESPONDENCE was read from

- 1) Manatee County Highway Department  
Re: Noble Park, Bayshore Gardens Subdivision, Section 32,  
Southwood Village, First Addition Re-Plat  
Recommending that streets be accepted for maintenance.

NOBLE PARK STREETS ACCEPTED FOR COUNTY MAINTENANCE, BOND RELEASED ✓

Upon motion by Mr. Bibey, seconded by Mr. Bustle, the streets in NOBLE PARK were accepted for county maintenance and bond (cash) of \$2000.00 was authorized refunded.

SOUTHWOOD VILLAGE, FIRST ADDITION STREETS ACCEPTED FOR MAINTENANCE, BOND RELEASED ✓

Upon motion by Mr. Klemmer, seconded by Mr. Bibey, the streets in SOUTHWOOD VILLAGE, FIRST ADDITION, were accepted for maintenance and bond in the amount of \$28,500.00 was authorized released.

BAYSHORE GARDENS, SECTION 32 STREETS ACCEPTED FOR MAINTENANCE, BOND RELEASED ✓

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, the streets in BAYSHORE GARDENS SUBDIVISION, SECTION 32, were accepted for maintenance and bond in the amount of \$10,351.00 was authorized released.

- 2) Blake Whisenant  
Resignation as member of Planning and Zoning Commission

WHISENANT, BLAKE  
RESIGNATION AS MEMBER P & Z COMMISSION ACCEPTED ✓

Upon motion by Mr. Slaughter, seconded by Mr. Klemmer, resignation of Mr. Blake Whisenant was accepted and Certificate of Appreciation of his services as member of the Planning and Zoning Commission authorized issued.

- 3) Whitfield Estates-Ballentine Manor Estates Association  
Opposing zoning that will permit lots of less than 9000 square feet or homes of less than 1200 square feet for Flamingo Cay development.
- 4) William Radmore  
Request for gun permit - TABLED ✓
- 5) U. S. Army Engineer District, Jacksonville  
Notice of application for permit by Mr. W. Kershner for construction of bulkhead and to dredge and fill in the Manatee River, northerly shore, south end of lot 23, Terra-Mana Harbor, S.E. end of Sneads Island cut-off channel.
- 6) Department of Veterans' Affairs  
Request to authorize Vet. Service Officer attend conference.

HARTIN, J. CARL AUTHORIZED ATTEND SERVICE OFFICERS' SCHOOL  
VETERNS SERVICE OFFICER ✓

Upon motion by Mr. Bibey, seconded by Mr. Bustle, Mr. J. Carl Hartin, County Service Officer, was authorized to attend the Annual State-Wide Service Officers' School and Conference in Daytona Beach, Florida, May 1 through May 6, 1961.

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KIPPAX, JOHN E.

PIPE INSTALLATION AUTHORIZED

Upon motion by Mr. Slaughter, seconded by Mr. Bustle, pipe installation was authorized for

John E. Kippax

\$41.00

JOINER, FRANK

ACCESS TO PROPERTY ON UPPER MANATEE RIVER  
COUNTY ATTORNEY TO INVESTIGATE

The County Attorney was requested to investigate the matter of an access road to property owned by Frank Joiner, on the Upper Manatee River, to determine if this Board can take any action to provide such access.

ALLEN, DR. FREDERICK

REPORT ON IMPOUNDING DOGS

Dr. Frederick Allen, Director of the Manatee County Health Department, reported on a matter of interest to the general public in connection with cases where individuals have been bitten by dogs, urging that they be reported to the Health Department without delay and that the animals involved not be destroyed, so that necessary steps be taken to determine if the animals are rabid. He advised that stray dogs had not been picked up during the last few days because there was no place to keep them as the facilities at the Dog Pound were already overcrowded.

The Board recessed until 3:00 p.m.

3:00 P. M.

The Board reconvened at 3:00 p.m., with all members present.

CEDAR HAMMOCK DRAIN

COUNTY ENGINEER ISSUED WORK ORDER TO COMPLETE  
IMPROVEMENTS IN WINDSOR PARK AREA

Mr. William Daniels, attorney, was present to continue discussion relative to improvements to the Cedar Hammock Drain in the Windsor Park Area.

Motion was made by Mr. Slaughter that the County Engineer be authorized to proceed with drainage improvements in the Windsor Park area and the Cedar Hammock Drain. Motion was seconded by Mr. Klemmer and carried. (The county engineer to take every precaution to minimize damage and discomfort to the Arnold family, who owns property along the drain.)

JUVENILE COUNSELOR

FUNDS PROVIDED

County Judge Robert Rickey was present to discuss further the appointment of a Juvenile Counselor.

Motion was made by Mr. Slaughter that the Board provide funds not to exceed \$2800.00 to be made available to cover salary expenses for a woman Juvenile Counselor, as requested by Judge Rickey. Motion was seconded by Mr. Bustle and carried.

SOUTHERN RAILWAY COMPANY

RESOLUTION URGING INTERSTATE COMMERCE  
COMMISSION ALLOW PURCHASE OF ACL & SAL TRACKS

Mr. Slaughter moved for the adoption of a Resolution Urging Interstate Commerce Commission to allow Southern Railway Company to Purchase Railroad Lines if merger



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of Seaboard Air Line and Atlantic Coastline Railroads approved. Motion was seconded by Mr. Klemmer and carried.

RESOLUTION URGING INTERSTATE COMMERCE COMMISSION  
TO ALLOW SOUTHERN RAILWAY COMPANY TO PURCHASE  
RAILROAD LINES IF MERGER OF SEABOARD AIR LINE  
AND ATLANTIC COASTLINE RAILROADS APPROVED.

RECORDED A16-129

DE SOTO CELEBRATION

PERFORMANCE OF CONQUISTADORS COMMENDED

Chairman Crist read a resolution commending The Conquistadors for their performance in connection with the De Soto Celebration.

Upon motion by Mr. Bibey, seconded by Mr. Slaughter, the following resolution was unanimously adopted:

RESOLUTION COMMENDING THE PERFORMANCE OF THE  
CONQUISTADORS

RECORDED A16-130

There being no further business, the Board adjourned to meet Monday, April 3, 1961 at 9:30 a.m.

ATTEST:

M. T. McInnis, Clerk

  
Deputy Clerk

APPROVED:

  
Chairman