

MARCH 18, 1963

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Monday, March 18, 1963 at 1:30 P. M.

Present were Commissioners E. A. Bibey, Chairman
 Dan P. McClure
 Irwin Klemmer
 Ralph S. Clark
 W. E. Crist, Vice Chairman
 Deputy Clerk Bruce M. Cox
 County Attorney Kenneth Cleary

The meeting was called to order by Chairman Bibey.

MINUTES APPROVED

Upon motion by Mr. Crist, seconded by Mr. Klemmer, Minutes of previous meeting were approved:

REGULAR MEETING OF MARCH 12, 1963

WARNERS BAYOU EAST

COUNTY ENGINEER AUTHORIZED TO SURVEY RE EXPOSED SILT BEDS

F. M. Van Deventer, representing Harbor Hills Civic League, came before the Board to request that the County Engineer be directed to examine, survey, study and report upon the most expedient solution to the problem of exposed mud flats, or silt beds, in Warners East Bayou, which had become prolific breeding grounds for mosquitoes and other obnoxious and disease-carrying insects. (This was submitted in the forms of oral and written request.)

Motion was made by Mr. McClure that the County Engineer be authorized to proceed with the survey of Warners East Bayou and submit report and recommendation to the Board. Motion was seconded by Mr. Klemmer and carried.

ONECO, PITTSBURGH DRAINS

BOWLEES'S CREEK AREA

COUNTY ENGINEER TO MAKE SURVEY RE SANDBARS

Upon motion by Mr. McClure, seconded by Mr. Klemmer, the County Engineer was directed to make a study and research in the Bowlee's Creek area where sandbars have been formed by silt and sand deposits from the Oneco and Little Pittsburgh Drains.

INSECTICIDE FOR MOSQUITOES

REQUEST BY HARBOR HILLS CIVIC CLUB REFERRED TO COMMITTEE

The request of Mr. Van Deventer for insecticide for spraying mosquitoes in the grassey areas along the banks of Warners Bayou with portable equipment was referred to a committee, Mr. McClure and Mr. Clark, by the Chairman of the Board with recommendation that they investigate the possibility of some arrangement being made with the Mosquito Control Commission.

Z O N I N G

William Vines, Planning Director, submitted matters on zoning, which had been tabled for study by the Board in previous meeting:

Z-5 PLANNED COMMUNITY DEVELOPMENTS ADOPTED

Commission-initiated petition to amend the zoning ordinances to allow Planned Community Developments as SPECIAL EXCEPTIONS in the "R" and "R-3" districts; recommended by P & Z Commission for approval of the Board.

Mr. Vines explained that adoption of this amendment would not mean that any certain plot would be set aside for this purpose and that it would be necessary for plans, etc., to be submitted to the Planning and Zoning Commission, who in turn would make recommendation to the governing body.

Motion was made by Mr. Klemmer to adopt amendment to the Zoning Ordinance to allow Planned Community Developments as Special Exceptions in the "R" and "R-3" Districts. Motion was seconded by Mr. Crist and carried.

RESOLUTION

ZONING
Z-5

R-88 REZONE FROM "T" DENIED

Commission-initiated petition to rezone from "T" certain parcels of land presently undeveloped:

- Parcel #1 Change to R-1AA
- Parcel #3 Change to A
- Parcel #4 Change to A with rezone to T or T-1 recommended for approval simultaneously with approval of final development plans.
- Parcel #5 Change to A
- Parcel #6 Change to A

R-91 REZONE FROM "T-1" DENIED

Commission recommends approval of petition to rezone from "T-1" to "A" a parcel of land on the Braden River adjacent to Jiggs Landing; area to be rezoned to "T" or "T-1" at such time as final development plans are approved.

Motion to rezone parcels in rezone petitions R-88 and R-91 in accordance with planning commission's recommendation, with provision that each of these parcels be automatically rezoned to either "T" or "T-1" after a one year period ending March 18, 1964, was withdrawn.

Motion was made by Mr. Crist that the zoning be left as is, with the provision that it automatically becomes "T" or "T-1" districts at the end of one year unless actual construction is started; that is, that the parcels in Petitions R-88 and R-91 remain as presently zoned for a period of one year, then be automatically rezoned as recommended unless actual construction has been started. Mr. Bibey vacated the Chair to the Vice Chairman. Motion was seconded by Mr. Bibey. Voting "Aye" were Commissioners Crist, Klemmer and Chairman Bibey. Voting "No" were Commissioners Clark and McClure. Motion carried.

After a short recess the Board reconvened.

The County Attorney pointed out that four-fifths vote of the entire governing body to change the recommendation of the planning commission, and since the motion only won by a three to two majority, all

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parcels contained in R-88 and R-91 remain as they are presently zoned (motion was counter to recommendation); furthermore, the Board could not act on them for one year without a four-fifths vote of the Board members.

CUTTING & REMOVING TREES FROM COUNTY R/W
BIDS REJECTED; READVERTISED

John Benson, County Engineer, advised that Vernon Thompson, who had submitted the low bid on cutting and removing trees from county rights-of-way, had moved and left no forwarding address and could not be located, therefore, it was recommended that this bid be disqualified.

Motion was made by Mr. McClure that all bids be rejected and Invitation for Bids be re-advertised. Motion was seconded by Mr. Crist and carried.

EQUIPMENT FOR HIGHWAY DEPARTMENT
REQUEST FOR PURCHASE REFERRED TO COMMITTEE

Mr. Benson requested advertising Invitation for Bids to be received on equipment for the Manatee County Highway Department:

2 Tractor Mowers	2 Flat Dump Trucks
2 Regular Dump Trucks	1 one-ton Flat Truck
3 Compact Sedan Passenger cars	
1 Pump (3 x 4 diaphragm)	1 Pump (3 x 4 Centrifugal)

(This list supercedes the previously submitted list which had been approved and provided for in the 1962-63 budget)

This request was referred to a committee, Mr. Crist and Mr. McClure, by Chairman Bibey.

BROWN, SEYMOUR

APPLICATION TO STATE TUBERCULOSIS HOSPITAL

Upon motion by Mr. Crist, seconded by Mr. Klemmer, application of SEYMOUR BROWN to enter the State Tuberculosis Hospital was approved.

CONFISCATED VEHICLE BY STATE BEVERAGE DEPARTMENT
GREEN, CECIL VONNELL

Upon motion by Mr. Klemmer, seconded by Mr. Crist, Inventory Record of Seized Vehicle and Property, by the State Beverage Department, from

CECIL VONNELL GREEN
1959 Ford Pick-up
Serial No. F10C 20487
1963 License Tag No. 15GK 1654

was received and referred to the County Attorney.

CONTRACTORS BONDS
DEPUTY SHERIFFS BONDS

Upon motion by Mr. Clark, seconded by Mr. McClure, the following bonds were approved:

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Building Contractors

GIEGER-JONES CONSTRUCTION CO.
ELMER THUM

Deputy Sheriffs

WILLIAM OLIVER BLADES
HERMAN CARL EBERTS
WILLIAM WOODWORTH HALLENBECK
PHILIP MARING

WARRANT LIST & REQUISITIONS

Upon motion by Mr. Klemmer, seconded by Mr. Clark, Warrant Lists of March 15 and 18, 1963 and Requisitions were approved and Warrant List of March 25, 1963 was authorized.

General Revenue Fund	#1639-1640; #1641-#1671
Road & Bridge Fund	# 715- -; # 716-# 744
Miscellaneous Funds	# 159- 160; # 161 -
Capital Outlay Fund	# 31 -

BILLS APPROVED FOR PAYMENT

Upon motion by Mr. Clark, seconded by Mr. Crist, the following bills were approved for payment:

Daniel Construction Company	27,022.70
National Assoc. of Counties	163.00
Manatee River Soil Cons. Dist.	39.50
Manatee Veterans Memorial Hospital	1,585.82
Physicians Medical Laboratory	10.00

CORRESPONDENCE

Correspondence was read from

- 1) ANNA MARIA ISLAND EROSION PREVENTION DISTRICT
Re: Establishment of multi-county erosion district as recommended by Manatee County Conservation Alliance. (Declining participation); Recommendations re countywide Erosion District; Request for services of County Engineer.

Upon recommendation of Mr. McClure, copies of this letter were forwarded to the Park, Beach and Recreation Commission and Philena Stanford (Manatee County Conservation Alliance)

- 2) MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS
Invitation to Board to attend State Civil Defense Association meeting in Stuart, Florida, March 28-29, 1963.
- 3) MANATEE COUNTY HIGHWAY DEPARTMENT
Advising that street and drainage in Colony Park Estates Subdivision meet subdivision regulations and recommending acceptance.

COLONY PARK ESTATES SUBDIVISION
STREETS ACCEPTED FOR MAINTENANCE

Upon motion by Mr. McClure, seconded by Mr. Klemmer, the street

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(or streets) in COLONY PARK ESTATES SUBDIVISION was accepted for county maintenance.

COUNTYWIDE DRAINAGE PLAN
MEYERS & ASSOCIATION, RALPH (ENGINEERS)

Mr. Crist reported that he had conferred with a hydraulic and sanitary engineer, Ralph Meyer, and the County Engineer relative to a comprehensive drainage survey of Manatee County, and it was estimated that such a survey could be completed in five months at an estimated cost of \$3,000.00; that the County Engineer had suggested that one of the twenty-one important drainage areas (or basins) involved be selected for a demonstration study and after completion of this first phase the Board could determine if it was feasible and acceptable before continuing with the remaining areas; that the firm of Ralph Meyer and Associates was willing to complete the first phase of the project for the sum of \$300.00.

Motion was made by Mr. Crist that Ralph Meyer and Associates be authorized to proceed with the study of the first phase of the comprehensive drainage plan for the sum of \$300.00, which phase would be concerning the west outfall of the Cedar Hammock Drain, it being understood and agreed that the Board would have no obligations beyond this portion of the project. Motion was seconded by Mr. Klemmer and carried.

PURSLEY GRASS FARMS
COUNTY ATTORNEY AUTHORIZED CONCLUDE LAWSUIT RE ROADWAY

The County Attorney advised that a settlement had been worked out in the lawsuit of Pursley Grass Farms vs. the Reeder family and Manatee County concerning a roadway in the northern part of the County; that the settlement was contingent upon the county accepting certain properties for a roadway and causing surveys to be made so that legal description of the properties could be obtained. He stated that the Reeder family is willing to give sixty-six feet of an old existing road across their property to the Pursley Grass Farms and that Pursley Grass Farms will give sixty-six feet from that point to the north point of a parcel of land called "Toll 400", and from that intersection in an easterly direction between sections 4 and 10, about one-half mile, which will open up a road to the east; however, by accepting this the county was not obligated to build a road, but the right-of-way would be accepted at this time and the County Engineer would make the survey. He asked permission to conclude this case with that stipulation.

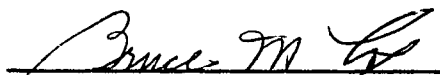
Upon motion by Mr. McClure that the County Attorney be authorized to settle the case according to the terms described and that the County Engineer proceed with the necessary surveys. Motion was seconded by Mr. Clark and carried.

MEETING ADJOURNED

Upon motion, the Board adjourned until Monday, March 25, 1963 at 1:30 P. M.

ATTEST: M. T. McInnis, Clerk

APPROVED:


Deputy Clerk


Chairman

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CORRECTIONS

Page 52 (3rd paragraph from bottom):

Mr. Clark reported that a similar situation exists in Bowlee's Creek and requested that a study be made concerning the problem of sandbars caused from deposits of silt and sand from the Oneco and Pittsburgh Drains (boats cannot get in and out except on high tide). He noted that something might be accomplished if the small dredge operations work out; that it could not be determined at this time if acquisition of additional right-of-way will be necessary.

Motion was made by Mr. McClure that the County Engineer be directed to make a study and research in the Bowlee's Creek area where the sandbars have been formed. Motion was seconded by Mr. Klemmer.

Mr. Crist recommended that the County Engineer make a survey of all areas in the county comparable to the two mentioned here (Warner's East Bayou and Bowlee's Creek) and work out a series of priorities and submit them to this Board.

Motion was amended to include recommendation outlined by Mr. Crist. Motion carried.

Page 53 (3rd paragraph from bottom):

Motion was made by Mr. Crist that the parcels in Petitions R-88 and R-91 remain as presently zoned for a period of one year unless construction is actually started; if construction is not started then parcels be automatically rezoned as outlined in recommendations of the Planning and Zoning Commission. (See page 54 for second & vote)

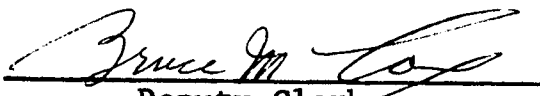
Pages 53 & 54 (last paragraph, continuing to page 54)

The County Attorney pointed out that four-fifths vote of the entire governing body is required to change the recommendation of the Planning and Zoning Commission, as set forth in Section 8.14 of the Enabling Act, 59-1542, and since the motion carried by three to two majority all parcels contained in R-88 and R-91 remain as they are presently zoned (motion was counter to recommendations); furthermore, the Board cannot act on them for one year except by four-fifths vote of the Board members (8.20 of the Enabling Act.)

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ATTEST:

M. T. McInnis, Clerk


Deputy Clerk

APPROVED:


Chairman