

AUGUST 12, 1963

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Monday, August 12, 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
 County Attorney Kenneth Cleary
 Clerk M. T. McInnis

The meeting was called to order by Chairman Bibey.

MINUTES APPROVED

The Chairman noted corrections to be made in Minutes of previous meetings:

July 16, 1963, page 189: amended to include representations of the various members of the Well Drillers Examining Board.

August 5, 1963, page 195: under "N-36 C. D. CANNON & SONS, INC." add "and only these functions, with the limitation that there will be no outdoor service, sale, display or storage of any equipment in the front or side yards of the new building."
 and add to motion approving request "as recommended by the Planning Commission".

Motion was made by Mr. Crist that the Minutes of previous meetings be approved with corrections as outlined. Motion was seconded by Mr. McClure and carried.

REGULAR MEETING OF JULY 1, 1963
 SPECIAL MEETING OF JULY 2, 1963
 REGULAR MEETING OF JULY 8, 1963
 SPECIAL MEETING OF JULY 10, 1963
 SPECIAL MEETING OF JULY 11, 1963
 SPECIAL MEETING OF JULY 12, 1963
 SPECIAL MEETING OF JULY 16, 1963
 SPECIAL MEETING OF JULY 17, 1963
 SPECIAL MEETING OF JULY 18, 1963
 REGULAR MEETING OF AUGUST 5, 1963
 SPECIAL MEETING OF AUGUST 5, 1963

also

MEETINGS OF BOARD OF EQUALIZATION: JULY 3, 5, 8, and 16, 1963.

FLORIDA BOARD OF FORESTRY
 PARTICIPATION PROGRAM CONTRACT EXECUTED

Eldredge Carnes and Mark Norman, with the Florida Board of Forestry, were present to discuss a revised participation program for Manatee and Sarasota Counties. Mr. Carnes explained that a law was passed in recent legislature which would limit the county participation in funds for forestry projects to \$3,000.00 instead of present contract terms whereby the counties pay forty percent of the budget (amounted to roughly \$4400.00 this year for Sarasota and Manatee Counties, which

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would be \$2200.00 per county). Under the new contract, submitted for the Board's consideration, the counties would be in a position to know the maximum funds that would be requested by the Board of Forestry.

Motion was made by Mr. Clark that the Board enter into contract with the Florida Board of Forestry, under the new participation program, and that the Chairman be authorized to execute said contract. Motion was seconded by Mr. Crist and carried.

RECORDED C18-56

TALLEY, WALTER
BUDGET FOR PUBLIC DEFENDER DEFERRED

Circuit Judge Robert E. Hensley, accompanied by Walter Talley (recently appointed Public Defender for the 12th judicial circuit), explained the purposes of the office of Public Defender and the present situation under legislation passed in 1963, inaugurating the public defender system. He said that every person charged with crime who is unable to be represented must have an attorney appointed by the court and if the public defender can do it the courts are under duty to appoint the public defender, however, if he has such a case load he cannot do it then the courts are required to appoint another attorney and to provide a fee to be paid by the county commissioners; that one of two methods have been provided - either the counties furnish a budget and payment of assistants or pay the fee of such assistants appointed by the courts.

Mr. Talley submitted proposed budget for Public Defender, Twelfth Judicial Circuit. He stated that the budget would be pro-rated on basis of population and case load for the counties. (8-county circuit). The budget provided for three assistants (Sarasota, Lee and Collier counties), two investigators, office and miscellaneous expenses.

The expenses in the proposed budget, to be pro-rated in the Twelfth Judicial Circuit on population and case load basis, were listed as follows:

Sarasota County	\$ 11,603.00
Manatee County	10,672.00
Lee County	9,310.00
Collier	5,258.50
Charlotte	4,189.50
DeSoto	2,327.50
Hendry	1,927.50
Glades	1,262.00
Total	\$ 46,550.00

Mr. Talley was advised that the Board would be meeting within the next two or three days on budget matters and his proposed budget would be considered at that time.

MANATEE MEMORIAL HOSPITAL
CHANGE ORDER (FINAL) SUBMITTED

James V. Kelsall, Project Engineer for Watson and Company, on the Manatee Memorial Hospital, submitted the final Change Order in the amount of \$18,111.22 for consideration of the Board. He explained that this change order, No. 7, was too detailed for the Board to pass on without study and the many items represented both credits and increases that had been authorized by the Board of Trustees and the Hospital committee from the Board.

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He pointed out that on Group I type of equipment the total change orders amounted to 4.5 percent of the original contracts, however, 2.6 percent was spent to extend the scope of the contracts (extra surgical lights, extension of Fifth Floor, etc.), so in the normal category of change orders from original contract only 1.9 percent was actually spent on changes.

The change order, and descriptive material on the various items, was received by the Board for study.

SOUTHERN STANDARD BUILDING CODE, 1962-1963
PART III PLUMBING ADOPTED

Harold B. Jones, Building Director, requested approval of the 1962-1963 edition of the Southern Standard Building Code, Part III Plumbing, with changes worked out with the Associated Plumbing and Heating Dealers of Manatee County.

Upon motion by Mr. Klemmer, seconded by Mr. McClure, the 1962-1963 edition of the Southern Standard Building Code, Part III Plumbing, with recommended amendments, was adopted as recommended.

HOLIDAY HEIGHTS: ROAD IMPROVEMENTS
SPECIAL ASSESSMENT LIENS AUTHORIZED

Public hearing was held on Special Preliminary Assessment Roll for road improvements in Holiday Heights, Project No. 363.

Letter was read from Walter E. and Vera T. Golby protesting the paving and curbing of 24th Street between 48th and 49th Avenues. They stated that improvement of 49th Avenue was their main concern and this street had been deleted from the project; that only one house faced 24th Street, all other houses on that street face 48th or 49th Avenue.

Mrs. H. M. Fuller asked if the 4600 block on 18th Street could be included in the improvement project if petition were submitted immediately. The County Engineer advised this section could be included in the project if petition, with required percentage of property owners' signatures, submitted in the near future.

In answer to question by Ralph Thurmond, the County Engineer advised there would be no adverse effect on drainage on the streets deleted from the original project.

Public hearing was closed.

Motion was made by Mr. Klemmer to adopt a resolution sustaining the Special Improvement Assessment Roll for

HOLIDAY HEIGHTS	PROJECT NO. 363
Unit Cost	\$3.15 per front foot

and imposing special improvement liens in accordance with said assessment roll and authorizing the issuance of special improvement lien certificates, said liens to become due and payable thirty (30) days after recording in the office of Clerk of Circuit Court. Motion was seconded by Mr. Clark and carried.

RESOLUTION RECORDED C18-57

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GREGORY ESTATES PROJECT 393
ROAD IMPROVEMENTS ORDERED; SPECIAL ASSESSMENT ROLL PREPARED

Public Hearing was held for the purpose of hearing objections to special improvements proposed in petitions from property owners in the following areas:

GREGORY ESTATES - PROJECT NO. 393
(Section 2, Township South, Range 18 East)

36th Avenue West (only that portion within the boundaries of Gregory Estates)

17th Street West, between 36th Avenue West and 38th Avenue West

No objections to the improvements were heard and the public hearing was closed.

Motion was made by Mr. McClure to adopt a resolution ordering the improvements to certain roads in Gregory Estates, Project No. 393, and authorizing preparation of Preliminary Special Improvement Roll (Assessment Roll). Motion was seconded by Mr. Crist and carried.

RESOLUTION RECORDED C18-58

WADHAM'S SUBDIVISION
PART TWELFTH AVENUE VACATED

Public Hearing was held on the petition of ISABELLA HAINES, J. LARUE and JOSEPHINE S. HINSON, BERNICE B. SINGELTARY and SINGELTARY CONCRETE PRODUCTS, INC., for the County to renounce and disclaim any right to that portion of a roadway described as follows:

That portion of 12th Avenue as shown on the Plat of Wadham's Subdivision recorded in Plat Book 1, Page 246, Public Records of Manatee County, Florida, lying Southwesterly of Southernmost boundary line of Tampa Southern Railroad right of way and South of Lot 11, Block D of Adams Subdivision in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 34 South, Range 17 East and North of the lands hereinabove described owned by Singeltary Concrete Products, Inc. and East of Lot 12 of said Wadham's Subdivision.

This roadway is located within the city limits of Bradenton and the offer of dedication was declined by the City Council on the 26th day of June, 1963, by resolution.

Upon motion by Mr. McClure, seconded by Mr. Crist, Resolution was adopted granting the petition and renouncing and disclaiming any right of Manatee County in and to said roadway.

RESOLUTION RECORDED C18-59

BUDGET AMENDMENT
SUPPLEMENTAL BUDGET ADOPTED

Public hearing was held on proposed amendment to the 1962-1963 Budget.

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Upon motion by Mr. Klemmer, seconded by Mr. McClure, Resolution adopting Supplemental Budget for the fiscal year 1962-1963 was unanimously adopted.

<u>ROAD and BRIDGE FUND</u>	<u>Expenditures</u>	<u>Receipts</u>
Excess over anticipated Receipts		\$100,000.00
Anticipated Expenditures:		
R & B Materials	80,000.00	
General Supplies & Ins.	20,000.00	
	<u>\$100,000.00</u>	<u>\$100,000.00</u>

RESOLUTION RECORDED C18-60

Z O N I N G

William Vines, Planning Director, submitted recommendations of the Planning Commission:

R-112 JACK JONES REZONE TO C-1 APPROVED

Petition to rezone from "R-1A" to "C-1", 14 lots located on SE corner of 26th Street W. and 26th Avenue W. to permit a shopping center, was recommended by the Planning Commission for approval.

The Board was advised that the petition had been endorsed by the property owners in the area. (No objections by Church)

Upon motion by Mr. Klemmer, seconded by Mr. McClure, the recommendation of the Planning Commission was accepted and rezoning to "C-1" was adopted.

RESOLUTION

ZONING
R-112

R-108 ROBERT N. KESSLER REZONE to "R-3" DEFERRED (NO ACTION)

Petition to rezone from "R-1A" to "R-3" a 2.1 acre parcel located on the SE corner of 26th Street W. and 55th Avenue W. to permit construction of rental apartments with a dining facility was recommended by the Planning Commission for approval, with the zoning to become effective simultaneous with the approval of the development plans.

Motion was made by Mr. McClure that this project be favorably considered, but in view of the fact that the developers do not plan immediate construction that the Board withhold action until plans are submitted. Motion was seconded by Mr. Klemmer and carried.

R-109 MELVIN W. BRETHAUER REZONE TO "R1AA" APPROVED

Petition to rezone 5 lots in Rosedale Manor Sub. from "R-;" to "R-1AA" to permit the construction of duplexes. Property located in SW corner of 11th Avenue W. & 36th St. W. Planning Commission recommends approval.

Upon motion by Mr. McClure, seconded by Mr. Clark, the recommendation of the Planning Commission was accepted and the rezoning to R-1AA was adopted.

RESOLUTION

ZONING
R-109

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R-110 R. J. ROY MOBILEHOME PARK TABLED

Petition to rezone a 60-acre parcel from "R-1A" to "T-1" to permit installation of a mobilehome park; located 1/4 mile north of Cortez Road on the west side of 75th Street W.

Mr. Vines stated there was substantial objections by property owners of the area and that the Planning Commission recommends denial of the petition because (1) the property fails to meet the test of policy adopted by the Board and (2) this area along the Bay worthy of quality residential development and location of mobilehome park would adversely affect such development.

Upon motion by Mr. McClure, seconded by Mr. Crist, the petition of R. J. ROY was tabled until August 19, 1963.

R-114 TOWNFAIR, INC. REZONE TO "R-3" APPROVED

Petition to rezone from "R-1A" and "R-1B" to "R-3" a 7.5 acre parcel lying directly south of the Administration Building of Manatee Jr. College, in the SW corner of 59th Avenue W. & 26th Street W. to permit construction of apartments and dormitory, was recommended by the Planning Commission for approval.

Upon motion by Mr. Klemmer, seconded by Mr. McClure, the recommendation of the Planning Commission was accepted and the rezoning to "R-3" was adopted, (subject to approval of final plans)

-RESOLUTION

ZONING
R-114

SE-57 BAYSHORE GARDENS REFORMED CHURCH APPROVED

Application for permit for addition of a church sanctuary to existing church located on west side of 26th Street W., south of Bayshore Gardens Parkway, was recommended by the Planning Commission for approval.

Upon motion by Mr. Klemmer, seconded by Mr. McClure, Special Exception for Bayshore Bardens Reformed Church sanctuary was approved.

SE-59 PALMA SOLA YACHT CLUB YACHT BASIN IMPROVEMENT APPROVED; YACHT CLUB

Application for permit for improvement of Palma Sola Yacht basin and construction of a community yacht club on property known as Portosueno Park, lying on east side of Palma Sola Boulevard, recommended by Planning Commission for approval.

Upon motion by Mr. Klemmer, seconded by Mr. Clark, Special Exception for the Palma Sola Yacht Club (SE-59) was approved as recommended by the Planning Commission.

SE-61 DE SOTO COLONY, INC. SIGN APPROVED

Application for permit for a club, golf course and entrance sign for DeSoto Lakes Golf Club, located at Lockwood Ridge Road and Tournament Boulevard (76th Avenue Drive E.), was recommended by the Planning Commission for approval.

Upon motion by Mr. Clark, seconded by Mr. McClure, Special Exception for De Soto Colony, Inc. (SE-61) was approved.

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S-75 BAYSHORE GARDENS, SECTION 15 (Plat)BAYSHORE GARDENS, SECTION 15
PLAT APPROVAL DEFERRED

TABLED ONE WEEK

Final plat of Bayshore Gardens, Section 15, was submitted for the Board's approval. The County Attorney stated that the Certificate of Dedication was not acceptable to him (reserved to Oxford Gardens, developers, exclusive right to construct, operate and maintain water, sewer and gas pipe lines and mains in easements and streets, etc.)

Motion was made by Mr. Clark that plat approval of Bayshore Gardens, Section 15, be denied. Motion was seconded by Mr. Crist.

Motion was made by Mr. McClure that motion to deny approval of the Plat of Bayshore Gardens, Section 15, be tabled for one week. Motion was seconded by Mr. Klemmer. Voting in favor of tabling the motion for one week were Commissioners McClure, Klemmer and Crist. Voting "No", Commissioner Clark. Motion carried. (Plat tabled one week)

UNIFIED FLORIDA PROGRAM FOR WATER CONSERVATION
CHAIRMAN WRITES PRESIDENT KENNEDY IN APPRECIATION

Memorandum from Jack Levins, president of the State Association of County Commissioners, was read, relative to extending appreciation to President John F. Kennedy for his action in including items of the Unified Florida Program for Water Conservation in budget requests to Congress this year, also for his action in adding to the budget funds for beginning construction of the Cross Florida Barge Canal.

Motion was made by Mr. Clark that Chairman Bibey be authorized to write a letter to President Kennedy and express appreciation of his action in connection with the projects outlined, as prepared by the Florida Board of Conservation. Motion was seconded by Mr. Crist, and carried by majority vote. Mr. Klemmer did not vote.

MANATEE MEMORIAL HOSPITAL
REMOVAL OF OLD BUILDINGS AUTHORIZED

The request of the Board of Trustees of the Manatee Memorial Hospital to remove old buildings from the hospital grounds, referred to Commissioner Crist for investigation, was read. These buildings, consisting of a residence, a garage apartment, a storage building and an abandoned filling station (formerly used by the Manatee County Blood Bank), had been examined by the County Engineer. He reported that only the residence has present value; the other three buildings are unsightly and not of construction type to be moved, therefore, should be demolished. He estimated that the main residence building could be repaired and improved for office type occupancy at a cost of approximately \$2500.00.

Mr. Crist moved that the County Engineer be authorized to proceed in demolition of the three buildings, other than the main residence, and that this building be reserved for the use of the Board of County Commissioners as considered feasible for expansion of other county departments. Motion was seconded by Mr. McClure and carried.

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ALDERMAN, GORDON

MOTION TO REAPPOINT TO BOARD OF TRUSTEES TABLED

Motion was made by Mr. Clark that Gordon Alderman be re-appointed as member of the Board of Trustees of the Manatee Memorial Hospital. Motion was seconded by Mr. McClure.

Motion was made by Mr. Crist that motion to re-appoint Mr. Alderman to the Board of Trustees be tabled. Motion was seconded by Mr. Klemmer. Voting "Aye" to table the motion were Commissioners Crist and Klemmer and Chairman Bibey. Voting "No", Commissioners Clark and McClure. Motion carried.

LEHMAN, JOHN DITTER, M.D.

APPOINTED ASSISTANT MEDICAL EXAMINER

Mr. Crist relayed recommendation of Dr. Frederick Allen, County Medical Examiner, that Dr. John Ditter Lehman be appointed as second Assistant Medical Examiner, and moved that such appointment be made. Motion was seconded by Mr. McClure and carried.

SCHAUB, FRANK (STATE ATTORNEY)

REQUEST OFFICE SPACE IN COURT HOUSE

Frank Schaub, State Attorney, renewed his request for office space in the Court House.

Mr. McClure reported that he and Mr. Clark had toured the court house with Mr. Schaub Monday morning and that they found that ample space could be provided for the Auditor (who was not in Manatee County on full time basis) in the basement, which would release present office space on the second floor that could be utilized for space for the State Attorney.

This subject was discussed at length, and letter from Circuit Judge Robert Hensley was read. He stated that he was generally acquainted with the needs of the State Attorney and felt there is a need for him to have office space assigned to him in order to carry out the functions of office in the most expeditious manner available.

Mr. Schaub was advised that every effort would be made to provide him with office space in or near the court house.

STATE ROAD DEPARTMENT

AGREEMENT EXECUTED RE FUNDS FOR STATE ROADS

The County Attorney submitted and explained Agreement whereby the State Road Department is requested to advance necessary sums to meet the excess cost of Manatee County Road Projects Acquisition on

State Road 55, SR 683 to SR 64 (Job No. 13-130-2102)
State Road 55, SR 43 to SR 445 plus Interchange
(Job No. 13-130-2202)

from available State Road Department funds, said sums not to exceed \$425,000.00, and authorizing the State Comptroller and the State Road Department to repay the advance from Secondary Funds of Manatee County.

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Motion was made by Mr. Crist that the Board of County Commissioners enter into, and the Chairman be authorized to execute, Agreement with the State Road Department for advance of sums not to exceed \$425,000.00 and repayment of said advance from Secondary Road Funds as they become available. Motion was seconded by Mr. Klemmer and carried.

✓ RECORDED

C18-61

BOARD RECESS

The Board recessed until 10:00 A. M., Tuesday, August 13, 1963.

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AUGUST 13, 1963

The Board of County Commissioners of Manatee County, Florida, reconvened in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, August 13, 1963 at 10:00 A.M.

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

The meeting was called to order by Chairman Bibey.

MANATEE COUNTY BRIDGE REVENUE BONDS
 APPLICATION TO FLORIDA DEVELOPMENT COMMISSION TO RE-FINANCE

Proposed resolution requesting the Florida Development Commission to finance a highway improvement project by a bond issue in the amount of \$4,800,000.00 was read by the County Attorney.

Description: County-wide Right of Way

"WHEREAS, it appears that the 80% Surplus Gasoline Tax anticipated to accrue to the Department for use in the County will be adequate not only to retire the \$6,000,000 Florida State Improvement Commission, Manatee County Bridge Revenue Bonds, dated August 1, 1953, of which amount \$3,943,000 will be outstanding as of February 1, 1964, but also sufficient to secure and retire additional Revenue Bonds in the amount of \$857,000, needed to meet other requirements and to finance the above described project;....."

Motion was made by Mr. Klemmer that the resolution, outlined by the County Attorney, be adopted. Motion was seconded by Mr. McClure. Upon roll call, by County Commissioners' districts, the following votes were recorded:

District No. 1: Yes (Mr. Bibey)
 District No. 2: Yes (Mr. McClure)
 District No. 3: Yes (Mr. Klemmer)
 District No. 4: Did not vote (Mr. Clark)
 District No. 5: Yes (Mr. Crist)

Motion carried.

✓ RESOLUTION RECORDED

C18-62