

SEPTEMBER 16, 1963

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Monday, September 16, 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.

PARK, BEACH & RECREATION COMMISSION
 BIDS ON LANDSCAPING DESOTO BRIDGE ROADSIDE

Bids were opened on the landscaping of the DeSoto Bridge roadside and Park:

<u>Florida Gardens</u>	\$4116.00
<u>Blaser's Nursery</u>	2995.00
<u>Reasoner's Nursery</u>	2900.00

and referred to the Park, Beach and Recreation Commission and the Assistant County Agent for report and recommendation.

PALMA SOLA AREA
 GEOLOGIST'S REPORT RE WATER SHORTAGE

A number of residents from the Palma Sola area were present to complain about the continued water shortage assumed to be caused by turbo-jet pumps being used by the farmers to irrigate their lands in the vicinity of 67th and 75th Streets. Some individuals voiced objections to the granting of a Temporary Use permit for acreage on 75th Avenue to be used for agricultural purposes. (Three year permit granted Bill D. Reid, TU-67, to allow 70-acre tract to be used for farming purposes, September 3, 1963, page 234 r in Residential zone.)

Among those making complaints about the water problem and or registering objections to Board action allowing farming in Residential Districts were

Herman Stahl, 106 62nd Street W.
 Mrs. _____ Patrick
 Jack Alexander, 7303 23rd Avenue Drive W.
 Mrs. Carl Fresina (Fresina's Motel) 6302 Manatee Avenue W.
 M. J. Brazile, 230 59th Street W. (Coral Heights)
 John W. Ellis, 7th Avenue Drive W. (5912)
 Mrs. _____ Parker, 61st Street W.
 Mrs. Harry Parsons, 401 60th Street W.
 Mrs. W. R. Walker, 315 62nd Street W.
 Jim Beck, Palma Sola Park
 Ed Hughes

Upon question directed to Dr. George Dame, Director of the Manatee County Health Department, as to procedure if this situation caused

a serious disease, he advised that in that event the Health Department would have authority to act; however, there is no disease at the present time and nothing he could do to stop the farmers from pumping water; that while it might appear that the pumping was causing the water shortage there was no complete proof and there was nothing to demonstrate that anything they (the farmers) were doing would cause an unhealthy situation.

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The Chairman pointed out that/the first indication of the water shortage the Board had consulted the Health Director and after receiving complaints at the Board meeting the previous week the committee met on the following Thursday (representative member of the Board, representatives from the Palma Sola Park area) with the farmers and a specialist from Tallahassee in an endeavor to work out a solution to this problem. He stated that a complete report on a survey conducted by an expert geologist would be available in the near future. He further stated that this water shortage has been gradually coming up - that the same thing was happening all along the coastline - but if the agricultural interests in this area were causing the trouble he would like to have the committee try to get the farmers to shut off the pumps for a certain period of time. (Try every other means of settling the problem before getting an injunction to stop the pumping, which had been suggested.)

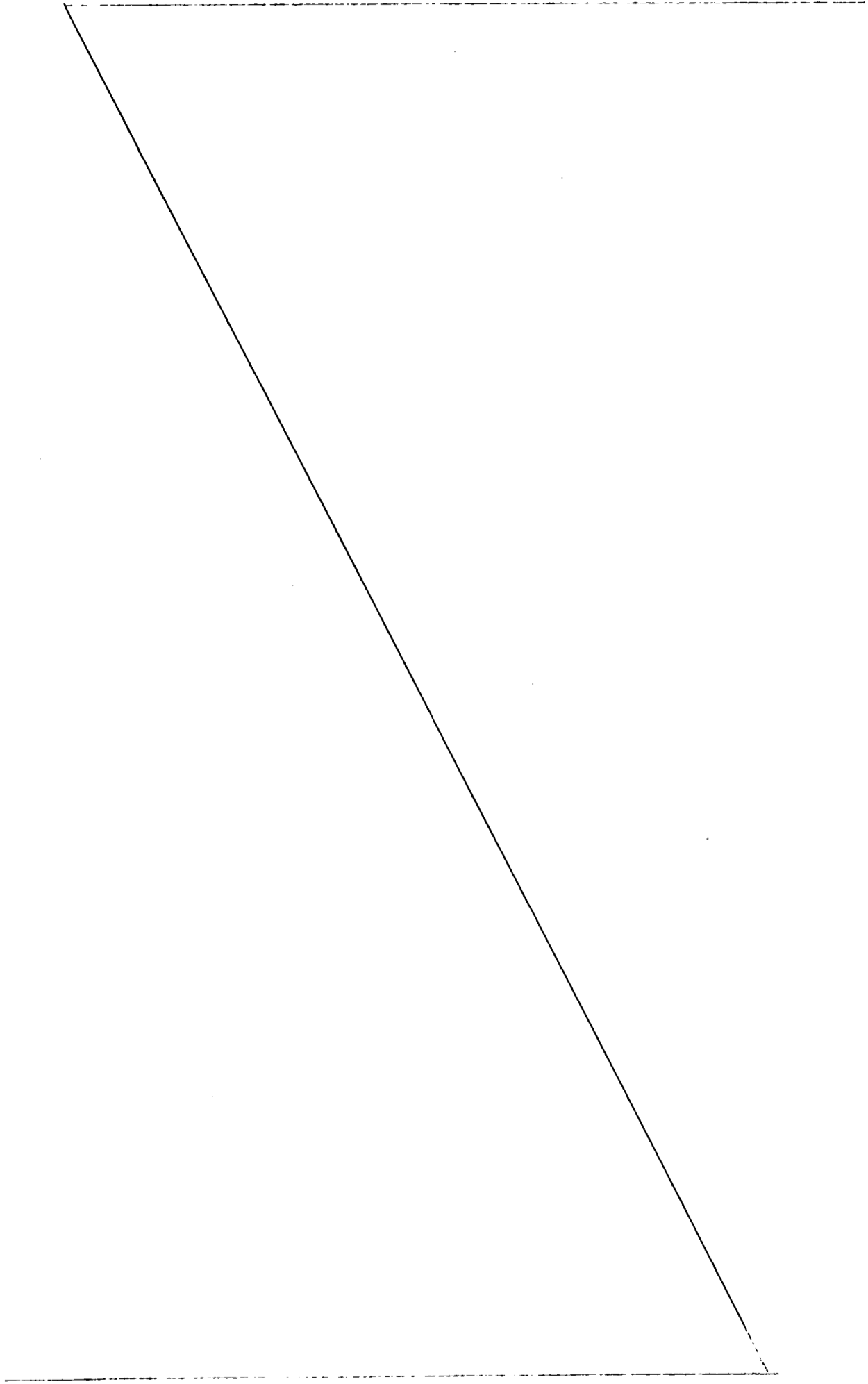
Upon question directed to the County Attorney (by Mr. Brazile) about the possibility of getting this problem straightened out within the next few days, as a part of county business, Mr. Cleary stated it was his personal opinion that this was not a county problem and the Board should not do it for them; that in comparison this was only a small area of the county and he did not believe it proper to spend the taxpayers' money on a local problem. He stated that this was a matter for the Board's discretion and if it was decided enough area was involved and enough people affected to make this a county problem he would file a suit to enjoin the pumping if the Board instructed him to do so.

GEOLOGIST'S PRELIMINARY REPORT
BLACK, CROW & EIDSNESS, INC.

Mr. McClure reported that on Friday, September 13, 1963, Dr. Jose I.G. Bengochea, of the firm of Black, Crow and Eidsness, Inc., Gainesville, Florida, had conducted a survey of the area and, based on his expert knowledge (in addition to his other degrees he is a civil engineer and ground water hydraulist, which makes him a specialist in this particular type or work) and his investigation, expressed a preliminary opinion as follows:

That the main reason of the present difficulty was not so much pumping from a water-bearing strata to any excessive amount, but was rather the cumulative effect of difficient rainfall over the past several years. Also, he felt that the effect of agricultural wells upon residential wells was relatively minor, probably being in the nature of a maximum amount of one foot effect. This would be true at a maximum rate of pumping from the agricultural wells, which is not now being experienced.

Mr. McClure expressed the hope that the farmers would be willing to turn off their wells at night, which might grant some relief to the problem, and stated that this possibility would be explored upon termination of the Board meeting.



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After a ten minute recess, the Board reconvened.

REASONER'S TROPICAL NURSERY
BID ACCEPTED ON PLANTINGS : DESOTO BRIDGE CAUSEWAY

M. B. Harrison, Chairman of the Park, Beach and Recreation Commission, recommended that the low bid submitted on supplying and planting shrubs, trees, etc., on the north end of DeSoto Bridge roadside and park be accepted. (Assistant County Agent will supervise planting, etc.)

Upon motion by Mr. McClure, seconded by Mr. Clark, the following bid was accepted:

REASONER'S TROPICAL NURSERY \$2900.00

PUBLIC HEARING ON ROAD IMPROVEMENTS (PRELIM.) CONTINUED
PROJECT 362
PROJECT 363-A
PROJECT 397

Preliminary hearing was opened on road and drainage improvements on PROJECT NO. 362.

Mrs. Raabe stated that she signed the original petition requesting improvements estimated to cost the property owners \$2.00 per front foot, but now that the cost had increased to \$3.00 per front foot she would like to withdraw her name from the petition.

The Board was advised that the increase was brought about by necessity of increasing the drainage facilities; that elimination of the property owned by Mrs. Raabe (one parcel of 150 feet and a second parcel of 75 feet) would bring the percentage of petitioners down to less than the required two-thirds of property owners.

Preliminary hearing was opened on road and drainage improvements on PROJECT NO. 363-A (HOLIDAY HEIGHTS). There were no objections.

Preliminary hearing was opened on road and drainage improvements on PROJECT NO. 397 (MANALEE SUBDIVISION, ELLENTON).

Property owners objecting to curbs and gutters on this street, which was a deadend street, were

Lee H. Fromwiller
Charles Murphy
O. H. King
John Blizel

Property owner, Mike Vertich
favored the complete paving
project as advertised.

The property owners affected by project 397 were advised that if sufficient names were withdrawn from the petition the project would be eliminated and it would be possible to submit another petition specifying the desired improvements, consisting of blacktopping only.

NOTE: In order to comply with legal requirements on notice of public hearing, this hearing was continued until September 23rd, 1963, and any testimony heard today would be considered a part of the official public hearing to be held on that date.

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SOUTHERN STANDARD BUILDING CODE
CONTRACTORS OBJECT TO AMENDMENTS

Richard Cummings, building contractor, requested that the Agenda be held open until the building contractors could be heard. They would like to appear at the Board meeting of September 23, 1963 to submit objections to changes in the Southern Standard Building Code (Amendments to 1960-1961 Edition adopted August 19, 1963).

E. B. Sullivan, president of the Independent Contractors' Association, stated the main objections were (1) excessive bond (increased from \$1,000.00 to \$5,000.00) whereby the small contractors were required to carry the same amount of bond as the contractors building \$100,000.00, or more, buildings; (2) excessive license fees.

P L A N N I N G

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

V-23 HOWARD E. HELMS

Application for vacation of a portion of 110th Street W. running from Cortez Road to Sarasota Bay, in Amended Plat of Cortez Addition to Cortez. (Continued from previous meetings.)

The Public Hearing on petition of HOWARD E. and MAUDE ANN HELMS to vacate a portion of 110th Street in the Amended Plat of Cortez Addition to Cortez, continued from August 26 and September 9, 1963, was re-opened.

James Wallace, attorney for the petitioner, stated that the reason for requesting the vacation of the street was to enable Mr. Helms to construct an 80-foot mooring canal so that residents of the trailer park would have access to the water; that the property of the objector, Robert Crampton, starts approximately forty feet from the street in question. He stated that a street would be constructed on one side of the canal and trailers would face this street; that the street at present was non-existent except on record plat and was of no value and that vacation would allow his client to construct the canal and continue with expansion of Paradise Bay Trailer Park and increase taxable values.

Robert Knowles, attorney for the adjoining property owner, Robert Crampton, objected to the vacation of the street, stating that the apparent owner of adjoining property did not join in the petition, also due to the fact that it had been a policy of the Board for a number of years not to vacate streets giving access to the waters of the Gulf, bays, rivers, etc. He referred to the survey showing 39.75 feet in hiatus (gap between the street and Crampton property) and stated that although ownership certificate had been obtained by the petitioner he maintained that his examination of the abstract on property owned by Mr. Crampton convinced him of his client's legal interest. (Referred to deed for Block 57 in old Addition to Cortez which included any streets, etc., and resubdivision leaving a portion reserved for future street extension).

Mr. Wallace referred to his client's purchase of the parcel from Wyman-Green and Blalock, Inc., successor to Florida-Georgia Land Company, and deed to land west of the street and also the street.

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AMENDED PLAT OF CORTAZ ADDITION TO CORTAZ
VACATION OF STREET DENIED

Motion was made by Mr. Crist that petition of HOWARD HELMS for the vacation of the street in Amended Plant of Cortez Addition to Cortez be DENIED. (He commented on his experience in difficulty in getting access to the water and incidents where it was not advisable to vacate streets where accessibility to water was involved.) Motion was seconded by Mr. Klemmer. Upon roll call by Districts, motion carried unanimously. RESOLUTION C18-79

D-8 PARADISE BAY TRAILER PARK DREDGE & FILL PERMIT APPROVED

Application for approval of a dredge and fill permit for approximately 16 acres of submerged land lying south of Lots 58 through 61 of Cortez Addition to Cortez, said property lying south of Cortez Road, east of 110th Street W.

Upon motion by Mr. Crist, seconded by Mr. Klemmer, Dredge and Fill Permit was approved for PARADISE BAY TRAILER PARK (D-8).

SE-56 SAMOSET FIRE CONTROL DISTRICT APPROVED

Application for a Special Exception to permit a fire station in an "R-1AA" zone, on property located on the north side of 30th Avenue E., approx. 500 feet east of ACL Railroad, was recommended for approval. (Planning Commission)

Jerome Pratt, attorney, submitted request for this matter to be held over for one week.

The Samoset Fire Commissioners submitted a letter advising that they had unanimously approved closing the deal for the proposed Fire Station location.

Upon motion by Mr. Clark, seconded by Mr. McClure, application of Samoset Fire Control District (SE-56) was approved and special exception was granted.

Z-9 AMENDMENT TO PERMIT "C-1" HIGHWAY BUSINESS DISTRICT
(Held for further study)

R-115 H. C. BADEN RE-ZONE TO "C-1" DENIED

Petition to rezone from "R-1AA" to "C-1" to permit a retail store on property located on the NE corner of 26th Street W. and 55th Avenue W., was recommended by the Planning Commission for denial, and further recommended that a larger property be put together and a neighborhood shopping center be planned and submitted. (General location considered right for shopping area.)

Upon motion by Mr. Klemmer, seconded by Mr. Crist, the application of H. C. Baden, R-115, was DENIED.

SE-62 PENTACOSTAL REVIVAL CENTER HELD 30 DAYS

Application for a special exception to permit the construction of a church on a one-acre parcel lying in the SW corner of 15th Street E. and 17th Avenue E. Mr. Vines relayed request of petitioner to hold this in abeyance as an attempt is being made to secure an alternate site.

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Upon motion by Mr. Clark, seconded by Mr. McClure, action on SE-62 was withheld for thirty days.

V-26 PALMETTO GROVE & GARDEN SUBDIVISION

Request for the County Commission to set time and place of public hearing for vacation of portions of four platted streets or alleys in said subdivision, lying east of ACL Railroad, within the 70-acre site being excavated by American Concrete Crosstie Corporation.

PALMETTO GROVE & GARDEN SUBDIVISION (AMERICAN CONCRETE CROSSTIE CORP.)
DATE SET FOR PUBLIC HEARING ON PETITION TO VACATE STREET

Upon motion by Mr. Clark, seconded by Mr. Klemmer, resolution was adopted setting date of October 7, 1963 for public hearing on petition of American Concrete Crosstie Corporation to vacate certain streets in the Palmetto Grove and Garden Subdivision.

✓ RESOLUTION RECORDED C18-80

BOARD RECESSED

Upon motion, the Board recessed until 1:30 P.M., Tuesday, September 17th, 1963.

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SEPTEMBER 17, 1963

The Board of County Commissioners of Manatee County, Florida, reconvened in continued REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, September 17th, 1963 at 1:30 P.M.

Present were Commissioners E. A. Bibey, Chairman
(Mr. Clark entered Dan P. McClure
during the meeting) Irwin Klemmer
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, the Minutes of previous meetings were approved (unanimous).

SPECIAL MEETING OF AUGUST 30, 1963
REGULAR MEETING OF SEPTEMBER 3, 1963

LITTLE WITNESBURGH BRADEN
PAYMENT AUTHORIZED FOR R/W (REBARG)

Motion was made by Mr. Klemmer that payment of \$1620.00 be authorized