

SEPTEMBER 16, 1963

(Cont'd)

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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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 WITTSBURGH DRAIN
PAYMENT AUTHORIZED FOR R/W (BELARGE)

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

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made to NICHOLAS BELARGE and MINNIE BELARGE for right-of-way to correct drainage in the Little Pittsburgh Drain area. Motion was seconded by Mr. McClure and carried.

(Note: To widen the existing Drain and provide sufficient right-of-way for county heavy equipment to clean and widen that part lying within the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sect. 13, Twp. 35S., R17E.)

PALMA SOLA PARK AREA WATER PROBLEM
FARMERS TO SHUT OFF PUMPS AT INTERVALS- TWO WEEKS PERIOD

Chairman Bibey announced that a gentlemen's agreement between the Board of County Commissioners and the growers in the West Bradenton (Palma Sola Park) area had been reached in connection with the water shortage problem. He stated that, through the efforts of Mr. McClure (who met with the farmers Monday evening) and the efforts of the entire Board, in meeting during the forenoon, the growers agreed that they would shut off their pumps for twelve hours a day for a period of two weeks in an effort to determine if this would alleviate the water shortage. He cautioned that this was only a temporary measure and the residents were urged to try to conserve water as much as possible and to consider getting equipment that will bring water from a deeper level.

COUNTYWIDE WATER SYSTEM AND DAM
COUNTY ENGINEER AND ATTORNEY AUTHORIZED OBTAIN OPTIONS ON SITE

Kenneth Cleary, County Attorney, advised that he had called the Housing and Home Finance Administration office in Atlanta, Georgia, to ask why action was being held on application of Manatee County for funds for planning, etc., in connection with the Countywide Water System and Dam and had been informed that no action could be taken until the dam site was obtained or under option or condemnation proceedings. He read a proposed resolution whereby

- 1) The County Attorney and the County Engineer are directed to acquire the necessary lands for the building of the proposed Dam by (a) obtaining options to purchase said lands at the appraised value, said options to be for a period of one year; (b) and if options have not been obtained within 30 days, then the County Attorney is instructed to immediately file appropriate proceedings to acquire the land by eminent domain;
- 2) Action shall be irrevocable and binding upon the county.

Motion was made by Mr. Klemmer that the Resolution, as read by the County Attorney, be adopted for the purpose of inducing the Housing and Home Finance Administration to act without further delay on the application of Manatee County for said planning funds. Motion was seconded by Mr. McClure and carried unanimously. (Approximately 275 acres, involving four property owners.)

RESOLUTION RECORDED C18-81

BONDS APPROVED

Upon motion by Mr. Crist, seconded by Mr. Klemmer, the following bonds were approved:

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Deputy Sheriffs

JACK BENZEL
 ZELDA N. COOPER
 HAROLD M. DOOLEY
 JOSEPH BRYAN DUNCAN
 PHILIP S. SILVERTHORN

LEPAGE, DOROTHY R. BOND APPROVED
 MEMBER, BOARD OF TRUSTEES, MANATEE MEMORIAL HOSPITAL

Upon motion by Mr. Crist, seconded by Mr. Klemmer, bond of DOROTHY R. LEPAGE, as member of the Board of Trustees of the Manatee Memorial Hospital was approved for a term of two (2) years beginning on the 26th day of August, 1963.

KENNEDY, MARGARET
 NOTARY BOND APPROVED

Upon motion by Mr. Crist, seconded by Mr. Klemmer, Notary bond of MARGARET KENNEDY (with personal Sureties) was approved.

CONTRACTOR'S BOND RELEASES

Upon motion by Mr. Crist, seconded by Mr. Klemmer, the following bond was authorized released: (as of October 1, 1963)

Electrical Contractor

ENCO ELECTRIC SERVICE OF TAMPA,
 Bond #23S-3928, Aetna Casualty
 and Surety Company

WARRANT LIST & REQUISITIONS

Upon motion by Mr. Crist, seconded by Mr. Klemmer, Warrant Lists of September 13, 16 and 17, 1963 and Requisitions were approved and Warrant List of September 23, 1963 was authorized.

General Revenue Fund	#3449 - #3514, incl.
Road and Bridge Fund	#1650 - #1659, incl.
Miscellaneous Funds	# 322 - # 332, incl.

BILLS APPROVED FOR PAYMENT

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

Irving Hall, M.D.	\$ 45.00
Rhyne Insurance Company	18.50 (LePage)
G. E. Johnson	76.06
Manatee Memorial Hospital	951.52

CORRESPONDENCE

Correspondence was read from

- 1) TECON CORPORATION, PILE DIVISION
 Request name on list of bidders.
 (Referred to County Engineer)
- 2) VARIOUS: PETITION RE JUNKYARD
 Request for assistance in eliminating junkyard,
 12th Street East.

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WALTON'S JUNK YARD
COUNTY ATTORNEY CONTINUES INVESTIGATION

Guy Wheless and other residents of the area of 12th Street East came before the Board to protest continued use and expansion of a junkyard on 12th Street East, off Little Pittsburgh Road, owned by Robert Walton. They referred to junk being transferred from the "Byrd" wrecking yard near the Airport to this location and pleaded for something to be done to stop this activity. Mr. Wheless also asked if the fuel oil business (Walton's) had been approved by the Zoning Department at this location.

The County Attorney advised that he had been investigating this matter since Friday of the previous week and had not yet received the requested report from the Planning and Zoning Departments; that as soon as all the facts are known something will be done to stop them if legally possible.

Enter Mr. Clark.

- 3) HAROLD B. JONES, BUILDING DIRECTOR
Request for permission to attend conference.

JONES, HAROLD B.
AUTHORIZED ATTEND CONFERENCE

Upon motion by Mr. Klemmer, seconded by Mr. Crist, Harold B. Jones, Building Director, was authorized to attend the Southern Standard Building Code Congress Annual Research Conference in Dallas, Texas, November 10 - 14, 1963.

STATE ASSOCIATION OF COUNTY COMMISSIONERS
BOARD MEMBERS AUTHORIZED ATTEND CONFERENCE

Upon motion by Mr. Crist, seconded by Mr. Klemmer, county officials and department heads were authorized to attend the State Association of County Commissioners conference in Hollywood, September 29-October 1, 1963, subject to available funds for this purpose.

- 4) JOHN B. BENSON, JR., COUNTY ENGINEER
Request Earl Ohmes and Howard Tafflinger be permitted attend Purchasing Agents meeting.

TAFFLINGER, HOWARD
OHMES, EARL

RE: PURCHASING AGENTS MEETING

Motion was made by Mr. Crist that the Chairman of the Board be authorized to approve or disapprove request for permission for Earl Ohmes and Howard Tafflinger, purchasing agents, to attend the National Institute of Governmental Purchasing, Inc., instructional conference in Washington, D.C., September 29 - October 2, 1963. Motion was seconded by Mr. Klemmer and carried.

- 5) HAROLD B. JONES, BUILDING DIRECTOR
Re: Late renewals of certificates of competency.

BUILDING DEPARTMENT: CERTIFICATES OF COMPETENCY
RENEWAL PENALTIES DEFERRED

Action was deferred on request of the Building Director to approve penalty of five percent (5%) per month to be charged for renewal of Certificates of Competency (Contractors) after October 1, but prior to December 1.

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6) CITY OF BRADENTON

ORDINANCE NO. 942 ANNEXING TO THE CITY OF BRADENTON
 Lot 9 of Block 1 of The Pines Subdivision as per plat thereof recorded in Plat Book 5, page 5 of the public records of Manatee County, Florida; Lots 1 through 5 and Lots 14 through 18 of Block 2, of The Pines Subdivision as per plat thereof recorded in Plat Book 5, page 5 of the public records of Manatee County, Florida, LESS the South 39 feet of both Lots 5 and 14.

ORDINANCE NO. 940 ANNEXING TO THE CITY OF BRADENTON
 The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, Township 35 South, Range 17 East,
 Also,
 All that part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, Township 35 South, Range 17 East, lying East of the old Railroad bed, described as follows: Commencing at the NE corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, Township 35 South, Range 17 East, thence South 660 feet, thence West 197 feet to the old railroad bed, thence Northwesterly along the East side of the old railroad bed to a point 553 feet due West of the point of beginning, thence East 553 feet to beginning.

WALTON'S JUNKYARD
 LEGAL PROCEEDINGS TO STOP EXPANSION AUTHORIZED

The County Attorney advised that according to a report just received from the Zoning Department that when the property, under discussion as Walton's junkyard, was first zoned in 1956 they say that a salvage yard was presumed to be legally non-conforming at that time. About March of this year that office received a phone call asking if different owners or operators could continue this salvage yard and they were told that if ownership changed there could be no expansion of a non-conforming business. In April of this year the rear 300x500 feet of the property was leased to another party and the salvage yard was continued; that the word "continued" indicated to him that it was pre-existing.

Mr. Clark questioned if an injunction could be obtained if this was a non-conforming business and a permit for its expansion had not been issued.

Mr. Cleary pointed out that a permit was issued on April 17, 1963 to fence the entire parcel.

Motion was made by Mr. McClure that the county attorney and Mr. Clark be appointed as a committee to investigate this matter and authorized to proceed with prompt legal proceedings to stop all expansion of the Walton salvage (or junk) yard. Motion was seconded by Mr. Klemmer and carried.

CITY OF BRADENTON BOARD
 REGULAR MEETING IN GOVERNOR

Mr. Crist moved that the Chairman of the Board be authorized to

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advise the Governor of the State of Florida of recommendations of the Board for appointment of five people to the County Library Board. (Approved by the Board of County Commissioners on September 13, 1963). Motion was seconded by Mr. McClure and carried.

ZONING: TEMPORARY USE PERMIT FOR AGRICULTURE
REID PERMIT REDUCED TO ONE YEAR PERIOD

TU-67 BILL D. REID

Request for three-year permit to allow a 70-acre tract in an "R1A" zone to be used for farming purposes, including the construction of a tractor shed. Property extends along the east side of 75th Street W. for 3/8 mile, from a point 3/4 mile north of Cortez Road.

Motion was made by Mr. Crist to rescind the motion of the Board on September 3, 1963, authorizing Temporary Use permit to Bill D. Reid for a period of three years and substitute therefor ONE YEAR, and further that the subject involved here "Temporary Use permit for Agriculture" be referred to the Board of Zoning Appeals for an interpretation, study and report. Motion was seconded by Mr. Klemmer and carried unanimously.

(Note: The records to show that invitation is extended to Mr. Reid to re-apply when the one-year permit expires.)

BATCHELOR, L. O.
RE: JAIL FACILITIES

L. O. Batchelor, State Prison Inspector, came before the Board for the purpose of explaining items under criticism of the jail, repeated in the inspection reports, stating he felt that perhaps such explanation would point them up more clearly and it was hoped that by clarifying the operation the opposition (to the new jail) would be a little less adamant.

He spoke at length on the most outstanding fault of the present jail, described from time to time in the reports, as being lack of facilities for separation of offenders. He referred also to obsolete and inadequate plumbing, rusty and broken pipes, small elevator, narrow stairs, impossible to use tear gas in case of necessity of use during disturbance because no way to get it out, insufficient and cramped office space for Sheriff's Department and other items contained in the reports. He said the present jail had been officially, but not legally, condemned since 1957-8-9.

In conclusion he stated he would like to see the progress on the new jail continued and accelerated.

MEETING ADJOURNED

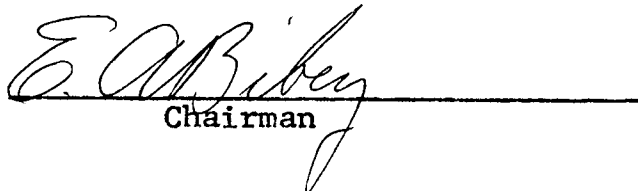
Upon motion the Board adjourned until Monday, September 23rd, 1963 at 1:30 P.M.

ATTEST:

M. T. McInnis, Clerk

APPROVED: 14 October 1963


Deputy Clerk


Chairman