

APRIL 11, 1966

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Monday, April 11, 1966 at 9:05 A. M.

Present were Commissioners Dan P. McClure, Chairman
 Ralph S. Clark, Vice Chairman
 Richard P. Briggs
 Nathan J. Taylor
 Robert C. Hutches
 Deputy Clerk Bruce M. Cox
 County Attorney Richard A. Hampton

The meeting was called to order by Chairman McClure.

WHITNEY, GORDON
 APPLICATION FOR DEPARTMENT OF ARMY PERMIT

Don Lovejoy, County Engineer, read Notice of Application for Department of the Army Permit, submitted by Gordon Whitney, for a permit to construct a groin in the Gulf of Mexico, on applicant's property on Longboat Key.

ROAD MATERIALS & SUPPLIES
 RE: BID OF EPPERSON & COMPANY

- Mr. Lovejoy advised that he was in receipt of a letter from Epperson & Company regarding quotation of March 18, 1966 on supplies for the Road Department (clamps, clevises, etc.), stating that error had been made in quoting \$18.80 on the item (per 100 feet) and quotation should have been \$22.35 per 100 feet; that order for 500 feet would be honored at price quoted, but that they could not accept any more orders at the \$18.80 per-hundred-foot price, since this is below their cost.

He requested authorization by the Board to give Epperson & Company fifteen days notice of cancellation of bid, and that the bid be awarded to the next lowest bidder, Deane Supply.

Motion was made by Mr. Taylor that Epperson & Company be released from their bid after the required fifteen days notice and that the next low bid on the item be accepted. Motion was seconded by Mr. Briggs and carried. The next low bidder was

DEANE SUPPLY \$20.90 per 100 feet.

MEYERS & ASSOCIATES

Motion to approve payment of revised estimate of Meyers & Associates, \$8,275.50 for survey work on the Water Supply & Distribution Project, was withdrawn for further study by members of the Board who had not been made aware of the revision.

MANATEE COUNTY UTILITIES SYSTEM
 BIDS ON SEDANS, TRUCKS

Bids were opened and read on one or more four-door sedans for the Manatee County Utilities System:

COX MOTOR COMPANY	\$1,856.09
BRADENTON RAMBLER MOTORS	\$1,852.64

Bids were opened and read on two or more 3/4 ton Utility Trucks for the Manatee County Utilities System:

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Jack Moorehead's GMC (2 trucks)	\$5,318.18	
Less trade-in, total \$550.00		Net \$4,769.88
Cox Motors (2 trucks)	\$5,169.98	
Less trade-in, total \$350.00		Net \$4,819.98

The bids were referred to the County Engineer and Director of Manatee County Utilities System for study and recommendation.

Two bids were received at 9:08 a.m. from Bill Cook Ford and were returned unopened with the explanation that they were received after the specified time of 9:00 A.M.

STATE ROAD 675 (RUTLAND ROAD)

The Chairman read a letter from the State Road Department recommending that State Road 675 (Rutland Road) be widened to a width of at least 20 feet and that the present alignment be studied in detail to see if one or more curves should also be flattened. It was stated that if the County desired this facility improved as recommended it would be necessary for the Board to furnish appropriate resolution authorizing the expenditure from Manatee County Secondary Road funds.

WATER & SEWERAGE WORKS ACQUISITION & IMPROVEMENTS RUSSELL & AXON TO MAKE APPRAISAL

Jack Steinhilper submitted proposal for appraisal and evaluation of existing, privately owned, utility systems by Russell & Axon. Under provisions of Supplemental Agreement of December 10, 1963, Russell & Axon was authorized to appraise certain utility systems under the acquisition program and the terms of payment were set out in said Agreement. This proposal was to continue the existing agreement except that minimum fee of \$200.00 be paid for each system appraised or evaluated. The utility systems to be appraised at the present time were named as

TOWN & COUNTRY
FLAMINGO CAY

SURBURBAN WATER CO.
SUNCOAST WATER CO.

Motion was made by Mr. Hutches that Russell & Axon be authorized to proceed with the appraisal and evaluation of the four utility systems according to terms of the proposal. Motion was seconded by Mr. Clark. Discussion. Voting "Aye" were Mr. Taylor, Mr. Clark, Mr. Hutches and Mr. McClure. Mr. Briggs voted "No". Motion carried.

CONTRACT SUPPLEMENT RECORDED E19-94

STATE ROAD 789 (LONGBOAT KEY) RE: WIDENING & RESURFACING

Russell Garvin, William Blake and Wilfred LePage, of Longboat Key, came before the Board to urge that the State Road Department be requested to widen and resurface State Road 789 (Gulf of Mexico Drive) in Manatee County.

Motion was made by Mr. Clark that the Board send a resolution to the State Road Department requesting cost estimate on construction and supervision for the widening and improvement of State Road 789 from the Longboat Key bridge south to the Sarasota County line. Motion was seconded by Mr. Briggs and carried.

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(Cont'd)

STATE ROAD 675 (RUTLAND ROAD)
RE: WIDENING, ETC.

Motion was made by Mr. Clark that the Board adopt a resolution requesting the State Road Department to submit cost estimate on the widening and improvement of State Road 675 (Rutland Road) from U. S. 301 to State Road 64. Motion was seconded by Mr. Taylor and carried.

Z O N I N G

Recommendations of the Planning Commission were presented by Neno Spagna,

R-213 BERT W. ALLEN, ET AL REZONE TO C-2 APPROVED

Request for rezoning of all of Grovedale Park, as per Plat Book 6, page 67, from District R-1 to District C-2. to be used for such purposes as compatible with C-2 zoning. Property located east of 12th St. E., between 17th Ave. E. and 21st Ave. E. (36-34-17). The Planning Commission recommended rezoning to C-2, with the exception of Lots 1 through 6.

Motion was made by Mr. Clark that the request for rezoning of R-213 be approved and adopted with stipulation that thirty-eight feet for setback be observed on 21st Avenue East as buffer zone between the C-2 zone and the residential district. Motion was seconded by Mr. Briggs and carried unanimously.

RESOLUTION

ZONING
R-213

GROVEDALE PARK SUBDIVISION
PLAT VACATED EXCEPT CERTAIN STREETS

Petition of Bert W. and Beryl Allen, Leila May Davis Whitfield and Street Parramore having been approved by the Board on April 4, 1966, Mr. Clark moved for the adoption of the appropriate Resolution vacating Grovedale Park Subdivision, with the exception of Virginia Avenue, also known as 21st Avenue, and Michigan Avenue, also known as 17th Avenue, it being understood that the petitioners would dedicate cul-de-sacs at the west end of 17th, 18th, 19th, 20th and 21st Avenues (50-foot turning radius). Motion was seconded by Mr. Hutches and carried.

RESOLUTION

E19-95

R-216 GENEVIEVE H. JUHL REZONE TO "T" APPROVED

Request for rezoning of lots in Pic-Town Sub. from District C-1 to District "T" for the purpose of allowing Trailer residences; property generally located at the SE corner of 51st Avenue Drive W. and U.S. 41. (Petition amended to read the "40.15 ft. of Lot 161" instead of "70.15" feet.)

The Planning Commission recommended approval of the rezoning of the E. 40.15 ft. of Lot 161, all of Lots 188, 189, 190 and the W $\frac{1}{2}$ of Lot 191, Pic-Town Sub., Section 2, in accordance with amended petition.

Upon motion by Mr. Clark, seconded by Mr. Hutches, the recommendation of the Planning Commission was accepted and rezoning of property in R-216 was adopted from C-1 to "T".

RESOLUTION

ZONING
R-216
217

SE-148 JOHN WILLIAM ANDERSON; INTERIOR DECORATING & GALLERIES
APPROVED

Request by owner for special exception to allow Interior Decorating and Galleries in an R-1A District on .37 acre parcel generally located on the west side of 14th Ave. W., 340 ft. north of 65th St. W. on Terra Ceia Island.

The Planning Commission recommended approval providing that nothing commercial will be carried on except designing, art and music galleries.

Upon motion by Mr. Taylor, seconded by Mr. Hutches, the recommendation of the Planning Commission was accepted and SE-148 for John William Anderson was approved subject to the stipulation outlined.

S-105 PALM GROVE PARK, THIRD SECTION

Request for approval of Preliminary Plan of Mobilehome Park .

The Planning Commission submitted Resolution waiving certain requirements of the Subdivision Regulations, in regard to this Mobilehome Park as follows:

=That the minimum width of right-of-way of the minor streets in said subdivision may be 40 feet instead of 50 feet,

=That the minimum pavement width of said streets may be 22 feet instead of 24 feet,
with recommendation that the Governing Body waive these requirements so that expansion of the existing Park would conform to the original Plan.

Upon motion by Mr. Briggs, seconded by Mr. Clark, the recommendations of the Planning Commission were accepted in connection with Palm Grove Mobilehome Park, Third Section, and requirements waived regarding with width and paving of minor streets.

COUNTY PRISONER - EXTRA GAIN TIME
BLAIN, HAROLD LAWRENCE

Robert Boylston submitted recommendation of J. Kenneth Gross, Sheriff, that an additional seventy-two days "good time" be deleted from the 18-months sentence of Harold Lawrence Blain.

Upon motion by Mr. Clark, seconded by Mr. Taylor, the Board approved and accepted the recommendation of the Sheriff and granted Harold L. Blain seventy-two days "extra gain" time.

MANATEE COUNTY UTILITIES SYSTEM
BID ON TRUCKS ACCEPTED: JACK MOOREHEAD'S GMC

Mr. Cessna reported that the low bid submitted on two trucks for the Manatee County Utilities System met required specifications and recommended acceptance.

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

JACK MOOREHEAD'S GMC 2 trucks \$4,769.88

MANATEE COUNTY UTILITIES SYSTEM
BIDS ON SEDANS REJECTED

Mr. Cessna advised that one bid on sedans for the Manatee County

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Utilities System did not meet specifications and he believed it would be to the best interest of the county to reject all bids and re-advertise.

Motion was made by Mr. Clark that all bids on sedans for the Manatee County Utilities System be rejected and Invitation for Bids be re-advertised. Motion was seconded by Mr. Hutches and carried.

MANATEE COUNTY UTILITIES SYSTEM
ADVERTISE FOR BIDS ON WATER METERS

Upon motion by Mr. Taylor, seconded by Mr. Clark, the Board authorized advertising for bids to be submitted on water meters for the Manatee County Utilities System, said bids to be opened Monday, April 28, 1966, at 10:00 A. M.

AMERICAN STEEL INSPECTION SERVICE
AGREEMENT AUTHORIZED CANCELLED

Mr. Cessna advised that the Board had executed an agreement with the AMERICAN STEEL INSPECTION SERVICE, on January 10th, 1966, for inspection of the Whitfield Elevated Storage Tank (prior inspection and contractors inspection during repairs), but that the company had never returned a copy of the agreement executed by them; that they had not returned nor responded to his telephone calls in connection with the agreement and inspection service on the water tank. He requested that the Board cancel this agreement so that other companies could be contacted for the purpose of obtaining quotations, etc., because the repairs needed to be done.

In view of the fact that the company had not executed the agreement and had not made any effort to comply with the terms of the agreement to perform the necessary inspections, motion was made by Mr. Briggs that the Board terminate the Agreement between the Manatee County Utilities System and the American Steel Inspection Service. Motion was seconded by Mr. Clark and carried.

ELECTION OFFICIALS APPOINTED

Upon motion by Mr. Clark, seconded by Mr. Taylor, Election officials were appointed to conduct the First Primary Election to be held Tuesday, May 3rd, 1966.

RECORDED E19-96

DEEDS

Upon motion by Mr. Clark, seconded by Mr. Taylor, Deeds were accepted from

CHRIST METHODIST CHURCH	Par. 41 - 26th St. W .
HOWARD W. & HARRIET RYNE ALBRITTON BYRD	Par. 8.1 Dam site -
(Utility Easement)	Rye Road Transmission Line
DUKE & BENEDICT, INC.	Par. 2.1 Utility
	Easement, Transmission Line

BONDS & RENEWALS

Upon motion by Mr. Taylor, seconded by Mr. Clark, Bonds and bond renewals were approved as follows:

Garbage Franchise (renewal)
v DUANE LEE

Electrical Contractors (Bonds)

✓ WALLACE E. HARDESTY American Motorists, Ins.
 GEORGE CERVONE #SY-407210 The Employers Liability
 Insurance Corp., Ltd.
 HARVEY ROMINE d/b/a
 Commercial Electric #48360 Auto-Owners Ins. Co.

Building Contractors (Bonds)

✓ JOE R. BURTON #457107 Globe Indemnity Co.
 ✓ DOUGLAS P. CONE d/b/a
 Cone Bros. Contr. Co. # Fidelity & Casualty Co. of N.Y.

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Clark, seconded by Mr. Hutches, Warrant Lists from April 4 - April 11, 1966 and Requisitions were approved and Warrant Lists to April 18, 1966 were authorized; to include any payrolls during that period upon condition that all employees have performed their services in accordance with payroll practices of the county departments.

General Revenue Fund	1868 - 1938
Road & Bridge Fund	967 - 1051
Miscellaneous Funds	164 - 184
Manatee County Utilities System	436 - 456

BILLS APPROVED FOR PAYMENT

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

Seaboard Air Line Railroad Company	\$ 25.00 (siding lease)
Gilbert E. Johnson	\$4,265.59
Wayne Bailey (addition to Health Cent.)	3,126.89
Parks & Recreation	1,543.56

BRADENTON, CITY OF
 AGREEMENT RE PURCHASE OF WATER

Motion was made by Mr. Clark that the Board enter into and execute Agreement with the City of Bradenton for the county to purchase water from the City for a period not exceeding ten (10) months from date for locations of connections between the City and County water systems:

9th Avenue & 34th Street W.
 11th Avenue & 34th Street W.
 19th Avenue & 34th Street W.
 1st Avenue & 34th Street W.

Motion was seconded by Mr. Hutches and carried.

AGREEMENT RECORDED

E19-97

With reference to billing for water purchased from the City of Bradenton, it was agreed that the City Council would be requested to combine billing for water purchased under this agreement with the billing for water purchased for Garden Heights Subdivision (Reference, acquisition of system from Consumers Utilities).

WATER SUPPLY & DISTRIBUTION PROJECT
 RIGHT OF ENTRY AGREEMENTS

Concerning contracts with various landowners in the reservoir area

and the clearing of land, on which the county had not obtained title, the property owners were cooperating with the county by entering into Right-of-Entry Agreements to allow the land to be cleared ahead of the contractors. The County Attorney noted that one such agreement had been entered into on the 24th day of March, 1966, and authorized in Special Meeting of that date, but the Minutes did not reflect the Board action authorizing execution of the Agreement between the county, Anthony L. Stathis, John V. Yelvington and Lillian C. Powell, and recommended that the Minutes be ratified.

Motion was made by Mr. Clark that the Minutes of March 24th, 1966, be amended for the purpose of ratifying and confirming Agreement with ANTHONY L. STATHIS, JOHN V. YELVINGTON and LILLIAN C. POWELL, and authorizing execution by the Chairman, for the purpose of giving the county immediate right to enter the property to clear the land in accordance with plans and specifications of the Water Supply and Distribution Project. Motion was seconded by Mr. Hutches and carried.

AGREEMENT RECORDED

E19-98

Upon motion by Mr. Taylor, seconded by Mr. Hutches, Right-of-Entry Agreements were entered into and authorized executed as follows:

LEO H. WILSON, INC.	RECORDED	✓ E19- 99
RUDOLPH and THELMA D. SUGGS	RECORDED	✓ E19-100
WALTER and ROSIE L. SUGGS	RECORDED	✓ E19-101
AARON M. and FLORENCE M. KOEHLER	RECORDED	✓ E19-102

STATE ROAD DEPARTMENT

RE: REFUND FROM REGISTRY OF COURT

Upon motion by Mr. Briggs, seconded by Mr. Hutches, the Chairman of the Board was authorized to endorse a check for \$1500.00 from the Registry of Court, payable to

Manatee County and the State Road Department
File No. 3062 - State Road Department, et al
vs. Ora L. Grimes, et al

and mail to the State Road Department for credit to the Secondary Road Fund of Manatee County.

COURT ORDER RE STATE ATTORNEY EXPENSES

NO ACTION

The County Attorney made a report on Case No. 15445 filed by Frank Schaub, as State Attorney of the Twelfth Judicial Circuit of the State of Florida, vs. Dan P. McClure, et al, as the Board of County Commissioners of Manatee County, Florida, asking for a declaratory decree concerning whether or not the county is responsible for paying certain expenses by the State Attorney in carrying out the functions of his office. Judge Robert Willis has entered a final decree substantiating Mr. Schaub's position and instructing the Board to pay these particular expenses and similar expenses in the future from the Fine and Forfeiture Fund, provided the Board does not determine such expenditures were not reasonably necessary and that the amounts were not reasonable.

The Board deferred action until further study.

RECORDED

✓ E19-103

CORRESPONDENCE

Correspondence was read from

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- 1) HARTFORD STEAM BOILER INSPECTION & INSURANCE
Advising that court house boiler has been inspected and appears in satisfactory condition.

AMBULANCE SERVICE

Mr. Taylor reported that he and Mr. Hutches had met with the Oneco-Tallevast Fire Department, the first of scheduled conferences with the commissioners of the Special Fire Districts and others, relative to furnishing ambulance service when the funeral directors abandoned this service July 1, 1966.

This problem was discussed at length and the newspapers were requested to extend invitation, on behalf of the Board, for volunteer committees and individuals, who might have any knowledge of this problem, to donate their time to serve on the county committee with Mr. Taylor and Mr. Hutches.

Recommendation was made that the Chairman write to the Governor of the State of Florida to request that a Special Session of the Legislature be called to consider legislation in solving this problem; also that the County Attorney request an opinion from the Attorney General in this connection.

KANSAS CITY ATHLETICS

The question of the county underwriting one-half of any deficit for \$15,000 guaranteed advance ticket sales (City of Bradenton contract) for the Kansas City Athletic baseball club was discussed by Board members. The County Attorney advised that, in his opinion, it was doubtful that the Board had authority to make direct donations or commitments for this purpose.

The Chairman stated for the record that the Board members concurred in the promotion of public interest in this program and expressed willingness to aid the city in paying a portion of the deficit, if necessary, and will take any legal action possible at the appropriate time.

MEETING ADJOURNED

Upon motion, the meeting was adjourned. The Chairman called attention to the Special Meeting scheduled for Thursday, April 14, 1966, at 10:00 A.M. for the purpose of opening bids on Project No. 6462-8, Lift Station - Bayshore Gardens.

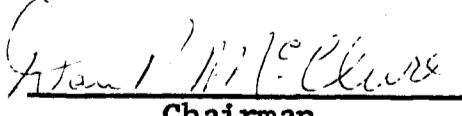
ATTEST:

M. T. McInnis, Clerk

APPROVED: 25 April 1966



Deputy Clerk



Chairman