

MAY 16, 1966

A Special Meeting of the Board of County Commissioners was called for 9:00 A. M., Monday, May 16, 1966.

Present were Commissioners Dan P. McClure, Chairman
Richard P. Briggs
Deputy Clerk Bruce M. Cox
County Attorney Richard A. Hampton

Due to lack of quorum no official business was transacted.

WATER SUPPLY & DISTRIBUTION PROJECT

Jack Steinhilper, project engineer for Russell & Axon, gave a progress report on the Manatee County Water Supply and Distribution Project.

STATE ROAD 789; STATE ROAD 675

The Chairman read a letter from the State Road Department relative to widening and resurfacing State Road 675 from U.S. 301 (Parrish) to State Road 64 and State Road 789 from Longboat Pass Bridge to the Sarasota County Line.

=Section 13510	State Road 675 from U.S. 301 to State Road 64; Estimated construction cost 10.8 miles\$350,000
=Section 13080	State Road 789 from Sarasota County Line to Longboat Pass Bridge; Estimated construction cost 4.1 miles\$105,000 To flatten reverse curve in this section would take additional r/w and increase job cost about \$25,000.

ADJOURN TO 1:30 P.M.

The Chairman stated the Board would adjourn until 1:30 P.M.

= = = = =

-MAY 16, 1966

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Monday, May 16th, 1966, at 1:30 P.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.

MINUTES APPROVED

Upon motion by Mr. Taylor, seconded by Mr. Clark, Minutes of previous Meetings were approved.

MAY 16, 1966

(Cont'd)

SPECIAL MEETING OF APRIL 28, 1966
REGULAR MEETING OF MAY 2, 1966
SPECIAL MEETING OF MAY 5, 1966
REGULAR MEETING OF MAY 9, 1966
SPECIAL MEETING OF MAY 10, 1966

SANITARY LANDFILLS
RECOMMENDATION FROM COMMITTEE (SITE)

Dr. George Dame and Larry Rhodes were present to submit recommendations regarding sanitary landfill sites.

The Chairman referred to objections (at previous meeting) of property owners to the recommended site on Morgan Johnson Road, and recognized the number of persons present regarding new suggestions of the landfill site committee. The report-recommendations of the committee were read.

Two suitable alternatives were proposed:

- 1- The 320 acre site owned by Caruso Ranch, valued at approximately \$110,000 on Morgan Johnson Road. To prevent using Lena Road or Braden River Ranchettes' Road, a 5/8 mile shell road could be constructed south from SR 64, one half mile east of Lena Road.
- 2- 160 acre tract with one mile frontage on the north side of State Road 70 beginning four miles east of Braden River, at approximate cost of \$110,000. No construction of road required.

All property south of SR 70 objectionable to landfill because drainage from the area is south in Braden River watershed. Borrow pit north of Palmetto would require pumping with runoff either south to Manatee River or west to Terra Ceia Bay; U.S. Public Health Service discourages use of borrow pits for this purpose due to depth of water possibly pushing into underground aquifers and contaminating area wells.

W. W. Townsend voiced objections to locations on Morgan Johnson Road and State Road 70. He noted availability of a parcel on Saunders Road (zoned industrial and would not affect value of properties).

SANITARY LANDFILL: NORTH PALMETTO BORROW PIT ELIMINATED

Mr. Briggs pointed out that the possibility of using the borrow pit north of Palmetto could be ruled out as the Board did not consider this as a suitable site.

SANITARY LANDFILL: SITE NO. 1 (MORGAN JOHNSON ROAD) ELIMINATED

Upon motion by Mr. Clark, seconded by Mr. Briggs, Site No. 1 on the Morgan Johnson Road was eliminated as a landfill site. (320-acre parcel east of Dude Ranch Acres and Braden River Ranchettes)

Mrs. Florence Mrazek requested some form of assurance that the Board would allocate funds in the next budget for relocating the Oneco Landfill, and requested commitment in writing that the money would be allocated or a motion made to approve one of the sites recommended. If not, then injunction proceedings will be brought against the Board.

The Chairman stated that a decision would be made at the next regular meeting of the Board on location (landfill) and procedure the Board will take toward lease or purchase of selected site. (Further investigation to be made of locations on (1) State Road 70 and (2) Saunders Road).

MAY 16, 1966

(Cont'd)

GRADALL EXCAVATOR FOR HIGHWAY DEPARTMENT
 BID ACCEPTED: GREAT SOUTHERN EQUIPMENT COMPANY

Don Lovejoy, County Engineer, recommended acceptance of low bid submitted on a Gradall Excavator, and requested that highway personnel be allowed to go to New Philadelphia, Ohio, to accept delivery and review one-day operations.

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

GREAT SOUTHERN EQUIPMENT COMPANY 9
 Model 2460 Gradall Excavator for \$34,919.60 less trade-in allowance of \$6,000.

Upon motion by Mr. Clark, seconded by Mr. Hutches, the County Engineer's request for personnel to go to New Philadelphia, Ohio, was granted.

ADDITION TO HEALTH DEPARTMENT BUILDING
 CHANGE ORDER APPROVED

Upon motion by Mr. Clark, seconded by Mr. Briggs, the Board approved

8
 Change Order No. 1 in the amount of \$75.00 (change door) in the contract of WAYNE BAILEY for construction of addition to the Health Department Building.

WATER SYSTEM CONSTRUCTION TRUST FUND
 REQUISITIONS AUTHORIZED PAID

Motion was made by Mr. Clark that Resolutions be adopted authorizing payment of Requisitions from the Water System Construction Trust Fund. Motion was seconded by Mr. Taylor and carried.

Requisition No. 5B-37

Alumicraft Products Company \$359.28
 and cancellation of Check #26061
 in the amount of \$720.00 under
 Requisition No. 5B-30 (two invoices
 paid in error)

✓ RESOLUTION RECORDED E19-146

Requisition No. 5B-38

James M. Doss, Real Estate \$9,381.44
 Lee Chaney & Elizabeth Chaney 8,275.00
 in the total sum of \$17,656.44

✓ RESOLUTION RECORDED E19-147

Requisition No. 5B-39

Walter Suggs & Rosie L. Suggs \$32,415.00
 Rudolph & Thelma Dean Suggs 7,866.00
 in the total sum of \$40,281.00

✓ RESOLUTION RECORDED E19-148

MANATEE COUNTY UTILITIES SYSTEM
 BID ACCEPTED (FURNITURE) BRADENTON OFFICE EQUIPMENT

Perry Cessna recommended that the bid on furniture for the Administration Building, Manatee County Utilities System, submitted by Bradenton Office Equipment Company, be accepted.

MAY 16, 1966

(Cont'd)

Upon motion by Mr. Taylor, seconded by Mr. Clark, bid on furniture for the Manatee County Utilities System Administration building was accepted as follows:

BRADENTON OFFICE EQUIPMENT COMPANY \$2,410.40

MANATEE COUNTY UTILITIES SYSTEM
BIDS ON METER BOXES ACCEPTED; BRASS GOODS

Mr. Cessna advised that the bid of Durable Concrete Products, on concrete meter boxes, had been withdrawn, and recommended acceptance of bid of Sunshine Industries be accepted; also, that bid of Sunshine Foundry & Machine, on cast iron boxes, be accepted.

Upon motion by Mr. Briggs, seconded by Mr. Hutches, the following bids were accepted:

SUNSHINE FOUNDRY & MACHINE COMPANY

Cast Iron Meter Boxes (prices listed page 676)

Covers for iron meter boxes (prices listed page 676)

SUNSHINE INDUSTRIES

Concrete meter boxes. (Prices listed page 676)

(Note: Bids accepted for 12-months period)

Upon recommendation by Mr. Cessna, and upon motion by Mr. Clark, seconded by Mr. Hutches, the following bid was accepted:

PALMETTO PUMP & IRRIGATION COMPANY

Brass Goods (incl. Corporation stops, Curb stops, Gate Valves)

(Note: Bids accepted for 6-months period)

RECORDED E19-149

CORTEZ ADDITION TO CORTEZ
PETITION TO VACATE PORTION OF BAYVIEW (LOWREY)

ACTION DEFERRED

The Chairman opened public hearing on the petition of ROBERT E. LOWREY, JR., and FLORENCE L. LOWREY to vacate a portion of "BAYVIEW" in Plat of Cortez Addition to Cortez.

Jerome Pratt, attorney representing Mr. Longnecker, a property owner who would be affected by the vacation of this portion of Bayview, objected to the granting of the petition. He stated he objected to this petition being reconsidered at any time as this particular case was involved in lawsuit at the present time. The County Attorney advised that the Board has authority to consider the petition regardless that the matter is the subject of a pending lawsuit.

Mr. Lowrey and his attorney, James McEwen, were present to submit testimony in behalf of the petition.

Dewey A. Dye, Jr., attorney representing Cleonic Ibasfalean, appeared in opposition to vacating this portion of Bayview. He pointed out that the Board had accepted a right-of-way deed for a portion of the street and had adopted a resolution agreeing and fixing the amount for paving the road, which included some 300 feet in front of the Lowrey property, but the Board had been enjoined (by Mr. Lowrey) and could not pave that portion. (Board accepted \$6,000 from Mr. Ibasfalean to apply on cost of paving)

The County Attorney stated he was prepared to give a complete analysis on this matter and to make recommendation as to the best interest of

MAY 16, 1966

(Cont'd)

the Board. Public Hearing was then declared closed.

The Chairman stated that if there were no objections this matter would be postponed until the next regular meeting of the Board. There were no objections.

Z O N I N G

Recommendations of the Planning Commission were presented by Neno Spagna, Planning Director.

Z-24

AMENDMENT TO ZONING ORDINANCE - SIGN FREE AREA DEFERRED
Recommendation of Planning Commission to amend and change the Manatee County Zoning Ordinance, Sec. VI, Supplementary District Regulations, Number 20, Item K, Class B Sign Free Areas (7) to read: State Road 64, running East from the East City Limits of Bradenton (Sec. 29, Twp. 34S, Rge 18E) to the East Manatee County line in Sec. 36, Twp. 34S, Rge 22E.

Action on Z-24 was deferred until further information is received as to the intentions of the State and Federal Highway Beautification program.

Z-25 AMENDMENT TO ZONING ORDINANCE ADOPTED (PUBLIC HEARINGS)

Planning Commission recommendation to amend Sec. VIII, Para. A.1 requiring that all applications for Public Hearings be submitted 20 days prior to date of Public Hearing.

Upon motion by Mr. Briggs, seconded by Mr. Clark, the recommendation of the Planning Commission was accepted and Z-25 Amendment to the Zoning Ordinance was unanimously adopted.

RESOLUTION

ZONING
Z-25R-214 ROBERT H. TULLY, CASPER SHARP & JOSEPH E. VARIOT
REZONE TO T-1 MOBILEHOME PARK DENIED

Request by owners for rezoning from Districts R-1AA and R-1AB to District T-1 for a Rental Mobilehome Park and to grant Special Exception to permit a portion of the property to be used by Florida Power & Light Co. as a sub-station site, on 43-acre parcel generally located on the south side of 53rd Ave. between 7th St. W. and 3rd St. Ct. W. *

Robert Knowles, attorney for the petitioners, was present. Mr. Tully and Mr. Variot also appeared in behalf of their petition.

Objections to the rezoning were made by

William O'Neill 5431 Fifth Street Court East
Fred Mussinan 5330 8th Street Court E.

Motion was made by Mr. Clark that R-214 be approved and rezoning to District T-1 be adopted. Motion was seconded by Mr. Briggs. Voting "Aye" were Mr. Clark, Mr. Briggs and Mr. McClure. Mr. Hutches and Mr. Taylor voted "No". Motion did not carry by the required four-fifths vote of the Board members, and petition was DENIED.

SE-155 HUGO & JENNY SCHMITT ANIMAL TRAINING QUARTERS APPROVED

Request by owners to allow a Zoo and Winter and Training Quarters for animals in a District "A" zone on property

*Recommended by Planning Commission for approval of R-214 and Special Exception.

on SW corner of SR 64 and Lorraine Road, consisting of 23 acres.

The Planning Commission recommended approval for maintenance and operation of a zoo and related training and quartering of the owners' animals, but shall not allow the quartering, boarding or keeping of animals owned by other persons and the premises may be used for residence by not more than two persons acting as caretakers and/or the immediate members of the applicants' family.

Upon motion by Mr. Hutches, seconded by Mr. Taylor, SE-155 was approved for Hugo and Jenny Schmitt with stipulations as recommended by the Planning Commission.

SE-159 RUBY EDENFIELD & ELLEN HESTER TRAILERS PERMITS DEFERRED

Request by owner to allow two trailers for herself and daughter as residences on a 3 1/2-acre parcel located in in a District "A" zone, general located on the west side of 45th Street E., 320 feet no. of Oneco Road (SR 70). Planning Commission recommended approval for a period of two years subject to all Health Department requirements being fulfilled within 30 days of this approval in order for this action to become effective and that said two year period begin with Health Dept. approval.

At Mr. Clark's request action was deferred on SE-159 for one week.

SE-160 PAUL M. MERRITT TRAILER PERMIT APPROVED

Request by petitioner to allow trailer as a residence for disabled, on 2.17 acres in a District "A" zone, located 570 ft. east of US 41 on the south side of Chapman Road.

Planning Commission recommended approval for time limit of lifetime of applicant's mother; that it shall not be rented or used by other persons and shall comply with all pertinent health and safety conditions at all times.

Upon motion by Mr. Taylor, seconded by Mr. Clark, SE-160 was approved for Paul M. Merritt, subject to provisions set out in recommendation of the Planning Commission, with the understanding that periodic inspections would be made of the circumstances.

R-215 SUNCOAST REALTY COMPANY, ET AL
SE=167 AGRICULTURAL USES APPROVED

Request for change of zoning from Districts R-1A, R-1AA, R-2, R-3, R-1B and C-1 to District A-Agriculture for the purpose of general farming, pasture and related agricultural uses, on a 1950-acre parcel generally located on the south side of Cortez Road between 34th Street W. and 86th Street E. Planning Commission recommended that Special Exception for agricultural uses limited to grazing of cattle, horses and growing of field crops for a period of five years, at which time the case shall be reviewed by the Commission and an additional five years will be permitted, if warranted, subject to the buffer zone, 400 by 600 ft. contiguous to Bayshore Gardens, as indicated on map.

Dewey A. Dye, Jr., representing the petitioner, stated that ~~there were~~ there were objections to the buffer zone because a portion south of the recommended area had been withdrawn from the petition (re Bayshore

MAY 16, 1966

(Cont'd)

Gardens)-(Special Exception acceptable).

Motion was made by Mr. Taylor that the recommendations of the Planning Commission be accepted and that SE-167 for Suncoast Realty Company be approved for a period of five (5) years. Motion was seconded by Mr. Clark and carried.

R-216 MANATEE FRUIT COMPANY REZONE TO "A" AGRICULTURE APPROVED
Request for change of zoning from Districts C-1, R-1A, R-1AA, R-2 and R-3 to District A-Agriculture for purpose of general farming and related agricultural uses on 1184-acre parcel generally located on the south side of Cortez Road between 34th Street W. and 86th Street W.

SE-168 The Planning Commission recommended granting a Special Exception for agricultural uses limited to grazing of cattle, horses and growing of field crops for a period of five years, at which time the case shall be reviewed by the Commission and an extension of an additional five years will be permitted, if warranted, subject to the 300 ft. depth buffer zone as indicated on map.

Dewey A. Dye, Jr., attorney for petitioner, pointed out that this land had been established farming operation since the mid-1940's, prior to zoning.

R-216

Motion was made by Mr. Taylor that the petition/be granted and that rezoning of this parcel be adopted as "A" Agricultural and that the recommended buffer zone be eliminated. Motion was seconded by Mr. Clark and carried unanimously.

ZONING

RESOLUTION RECORDED R-216

(Note: Here the Vice Chairman took the Chair.)

C-49 JAMES L. ROMAN RESIDENCE ON LESS THAN 5 ACRES APPROVED
Request by owner for Commission approval to construct residence in a District "A" zone on less than five acres; parcel generally located on the west side of Ellenton-Gillette Rd. approx. 1/8 mile south of 29th Street E., Palmetto.

Upon motion by Mr. Briggs, seconded by Mr. Taylor, C-49 for James L. Roman was approved.

SUBDIVISION DEVELOPMENTS RE: WATER MAINS

Upon motion by Mr. Briggs, seconded by Mr. Hutches, the Planning Commission was requested and authorized to advertise for a public hearing for amendment to the Subdivision Regulations relative to installation of water mains.

POLLUTION CONTROL

RE: NEWS RELEASES BY SANITARY ENGINEER

Motion was made by Mr. Briggs that the Board go on record as not being opposed to Frank L. Cross, Jr., Sanitary Engineer for Pollution Control, giving releases to reporters and making talks to civic organizations. Motion was seconded by Mr. Hutches.

Mr. Hutches pointed out that Mr. Cross had never been denied the privilege of making speeches or giving news releases, but that he should make the Board members aware of the nature of such speeches or releases; that they should be informed so that when people call and ask questions about these matters they would be aware of the subject.

Voting "Aye" were Mr. Briggs and Mr. Hutches. Voting "No" were Mr. Taylor and Mr. Clark. Motion did not carry.

Motion was made by Mr. Taylor that Mr. Cross bring a progress report before the Board to be read every meeting for the benefit of the public and press. Motion was seconded by Mr. Briggs and carried.

COUNTY COMMISSIONERS' MEETING TIME

Motion by Mr. Briggs that the Board meet at 9:00 A. M., Monday of each week as, in the past, was lost for lack of a second.

DEEDS

Upon motion by Mr. Briggs, seconded by Mr. Hutches, the following deeds and easements were accepted:

<u>Cedar Hammock Drain to Cortez Road</u>	
CORA L. PARKER, Utility Easement	Par. 5-R
CLAYTON C. & GERALDINE BINGAMAN, Ut. Esmt.	9-R
ROBERT M. & GENEVIENE H. BELL, Ut. Esmt. (2)	22-R & 23-R
RALPH H. & MAXINE GARTHWAIT, Ut. Esmt.	34-R
<u>Reservoir</u>	
PETER W. FULTON W/D	Par. 1.1
PETER W. FULTON, Flowage easement	1.2
<u>63rd Avenue to Florida Boulevard</u>	
RAY B. & LEONA SCHUELER, Ut. Esmt	Par. 41-R
MORRIS C. & EVELYN B. CARTER, Ut. Esmt	42-R
JOHN R. McDONALD, Ut. Esmt. (2)	47-R & 48-R
LA VERNE P. MEDOR	50-R

BONDS / CONTINUATION CERTIFICATES

Upon motion by Mr. Briggs, seconded by Mr. Hutches, the following bonds and continuation certificates were approved:

<u>Building Contractor (Bond)</u>	
DONALD COHEN #SY-429884	The Employers' Liability Assurance Corp.
<u>Electrical Contractor (Bond & Continuation Certificate)</u>	
JASPER G. TURNER #584151	657712-06146338 Auto-Owners Ins.

*WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Hutches, seconded by Mr. Briggs, Warrant Lists from May 9 to May 16, 1966, inclusive, and Requisitions were approved, and Warrant Lists to May 23, 1966 were authorized. (To include any payrolls during that period provided that all employees have performed their services in accordance with time and payroll practices of the county departments.)

BILLS APPROVED FOR PAYMENT

Upon motion by Mr. Hutches, seconded by Mr. Briggs, the following bills were approved for payment:

Manatee Memorial Hospital	\$801.00 & \$64.08
Parks & Recreation	1109.93
*Warrant Lists	
General Revenue Fund	No. 2180 - 2625
Road & Bridge Fund	No. 1234 - 1276
Miscellaneous Funds	No. 205 - 208
Manatee County Utilities System	No. 582 - 602

MAY 16, 1966

(Cont'd)

REFUNDS: TAX CERTIFICATES

Upon motion by Mr. Briggs, seconded by Mr. Hutches, refunds on Tax Certificates were approved as follows:

H. C. Hood, #703 (1964), #914 (1965)	\$ 3.88
Phillip Walker, #1052 (1963)	1.67
Harry Rolfe & Don Irwin, #988 (1962)	5.15

GARBAGE FRANCHISE TRANSFER

G. W. LUKE GARBAGE SERVICE TO CEDAR HAMMOCK REFUSE DISPOSAL

Motion was made by Mr. Hutches to adopt a Resolution, read by the County Attorney, confirming and ratifying action of May 9, 1966 approving the transfer of DISTRICT NO. 11 GARBAGE FRANCHISE:

GEORGE LUKE, D/B/A G. W. LUKE GARBAGE SERVICE, to
CEDAR HAMMOCK REFUSE DISPOSAL CORPORATION

Motion was seconded by Mr. Briggs and carried.

RESOLUTION RECORDED E19-150

U. S. 301 & TALLEVAST ROAD; SAUNDERS ROAD
REQUEST FOR TRAFFIC SURVEYS

Upon motion by Mr. Hutches, seconded by Mr. Briggs, Resolution was adopted requesting the State Road Department make investigations at the intersections of

U. S. Highway 301 and Tallevast Road, and
U. S. Highway 301 and Saunders Road

to determine the feasibility of installing traffic control devices at said intersections, to be purchased, installed and maintained by the County if warranted.

RESOLUTION RECORDED E19-151

STATE ROAD 675

RE: PEACE RIVER ELECTRIC COOPERATIVE, INC. (RELOCATE UTILITIES)

Motion was made by Mr. Briggs that Resolution be adopted approving payment of \$1,471.02 to the Peace River Electric Cooperative, Inc., for relocation of utility facilities on State Road No. 675, said funds to be paid by the State Road Department out of secondary funds. Motion was seconded by Mr. Hutches and carried.

RESOLUTION RECORDED E19-152

BAYSHORE GARDEN BRANCH LIBRARY
AGREEMENT EXECUTED

Upon motion by Mr. Taylor, seconded by Mr. Hutches, the Board entered into, and authorized execution by the appropriate officers, Agreement with the Florida Library and Historical Commission and the Manatee County Library Board in connection with Federal Grant in the amount of \$19,250.00 for the construction of a Branch Library at Bayshore Gardens. (Manatee County to provide the amount of \$15,750.00).

AGREEMENT RECORDED E19-153

MAY 16, 1966

(Cont'd)

CORRESPONDENCE

Correspondence was read from

- 1) DONALD R. LOVEJOY, COUNTY ENGINEER
Advising no action required by Board in connection with application of Fred Claussen to Trustees of Internal Improvement Fund for purchase of parcel of submerged land in the Manatee River in Section 23, Township 34 South, Range 17 East, City of Palmetto. (2.245 acres, more or less)

- 2) SENATORS SPESSARD L. HOLLAND & GEORGE A. SMATHERS
CONGRESSMAN JAMES A. HALEY
DEPARTMENT OF HOUSING & URBAN DEVELOPMENT
Advising of approval of grant Open Space Land Program in amount of \$265,268 to aid in purchase of 870 acre Manatee Reservoir site for Park and Recreational Purposes.

- 3) FRANK L. CROSS, JR.
Report re progress being made on Tropicana plant modifications to retain waste and prevent entering Sugarhouse Creek.

Filter paper from hi-volume samplers showing suspended particulates collected from air north of Borden plant site.

MEETING ADJOURNED

Upon motion, the meeting was adjourned.

ATTEST:

M. T. McInnis, Clerk



Deputy Clerk

APPROVED: 31 May 1966



Chairman