

SEPTEMBER 27, 1966

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, September 27th, 1966 at 9:05 A. M.

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

Commissioner Dan P. McClure, Chairman, entered during the meeting

The meeting was called to order by Vice Chairman Clark.

MINUTES APPROVED

The Vice Chairman stated that if there were no alterations, additions or corrections the Minutes of the previous meeting would stand approved.

REGULAR MEETING OF SEPTEMBER 20, 1966

BUDGET - FISCAL YEAR ENDING SEPTEMBER 30, 1967

Public Hearing was opened for the purpose of hearing requests and complaints concerning the proposed budget for the fiscal year beginning October 1, 1966 and ending September 30, 1967.

Claflin Garst, Jr., presented recommendations of the Manatee County Taxpayers Association - generally that the overall millage remain the same as last year (Board of County Commissioners and Board of Public Instruction).

Enter Mr. McClure.

Wayne Mead, president of the Taxpayers Association, urged decrease in the budget by \$115,000.00.

Edwin A. Jones, president of the legislative committee of the Federation of Community Association and president of the Whitfield-Ballentine Manor Association, (1) questioned the cost of pollution control and (2) urged adequate budget for the Sheriff's department to insure protection to Manatee County citizens.

Lynn Ferguson, Tangelo Park, concurred with comments by Mr. Jones. Mr. Cash commended the county on wonderful progress, stating he would not like to see the budget cut.

Mr. McClure took the chair.

Richard Rose, Bradenton Beach, referred to item for erosion control on Anna Maria Island and expressed desire for budgeting a more reasonable figure for additional protection of the Island.

Robert Schultz, attorney for Sheriff J. Kenneth Gross, requested approval of the budget for the Sheriff's Department as proposed July 1, 1966 (submitted July 6, 1966) and July 28, 1966 (supplemental).

Philip Huth, representing the directors of Palma Sola Park Association, submitted recommendations to the Board to maintain the requested budgets of the Sheriff and the Civil Defense director.

G. E. Rautenberg, director of Whitfield-Ballentine Manor Association, recommended approval of the full amount requested by the Sheriff.

The Chairman declared the public hearing closed.

After a short recess, the Board reconvened.

**SHERIFF'S BUDGET**

In connection with technicalities involved in the decision of the Board whether to approve or not to approve the Sheriff's budget, the County Attorney advised that

=the law states that the Board of County Commissioners shall notify the Sheriff in writing by the 1st of August of each year as to whether they approve or disapprove his budget, and to give particulars if disapproved. Due to the fact that the tax rolls were not certified to until July 26th, the Board could not have done a reasonably good job in preparing and analyzing the budget situation until the amount of money was known that would be available to the county, however, the fact remains, from a technical standpoint, a written letter was not sent to the Sheriff;

=As to question of possibility that the fact that letter was not sent would be excusable because the sheriff himself violated the technical rules in submitting his budget to the Board on July 6th when the Statute says that the sheriff shall submit his budget by the 1st of July.....the statute does not go further and say that if budget is not submitted by July 1st that he loses the right to submit a budget request or that the Board can set his budget any way it wants;

=Based on his research he would recommend that, if the sheriff insists that his budget be approved the way he has requested it, the Board has no alternative but to approve it.

Chairman McClure asked Mr. Gross if, in the interest of trying to effect a reasonable compromise and settlement, he would be receptive to the county budgeting the requested amount of \$73,489.00 over and above his present budget to be used for salary increases. Mr. Gross stated he would give this some consideration and would advise the Board.

**PROJECT NO. 419 (ROAD IMPROVEMENTS)**

Public Hearing was opened for the purpose of hearing objections to Special Improvements proposed in the following area:

PROJECT NO. 419                      SAGAMORE ESTATES  
117th Street West between 40th Avenue West and  
38th Avenue West.  
Special improvements to consist of grading, drainage,  
stabilization, base, curb, paving and grassing.

C. W. Board challenged the validity of the petition, on which this hearing was being held, because it was over two years old, five

SEPTEMBER 27, 1966

(Cont'd)

parcels had changed hands and six property owners had died; also, the petition had requested blacktopping only, whereas the specifications called for other improvements which would make the cost to the property owners prohibitive.

Robert Moon, right-of-way agent, stated that the property owners had been notified that the cost would be \$3.57 per front foot.

Mr. Board submitted a petition from the property owners objecting to the type of construction proposed. (Referred to Mr. Moon to check.)

Mrs. Bertha Roebke requested postponement until return of some of the residents from the north.

The public hearing was declared closed.

**PROJECT NO. 527 (ROAD IMPROVEMENTS)  
SURVEY, PLANS & ESTIMATES AUTHORIZED**

The Right-of-way agent advised that petition for pending project No. 13 contained signatures of 73.08 percent of the property owners, and #19 pending project (petition) contained signatures of 77.6 percent of the property owners, which exceeded the legal requirement of two-thirds of abutting property to be included in petition to qualify for county participation on road improvements.

Upon motion by Mr. Taylor, seconded by Mr. Clark, survey, plans and estimates were authorized on

PROJECT NO. 527 (pending #13)  
118th Street West, east of Parkway, from 38th Avenue West to 40th Avenue West. (District No. 3)

**PROJECT NO. 528 (ROAD IMPROVEMENTS)  
SURVEY, PLANS & ESTIMATES AUTHORIZED**

Upon motion by Mr. Clark, seconded by Mr. Taylor, survey, plans and estimates were authorized on

PROJECT NO. 528 (pending #19)  
56th Avenue Drive East, from 15th Street East (U.S. 301) for a distance of 609.30 feet to the west.

**PROJECTS 363B, 420, 426, 491 & 496  
PUBLIC HEARING FOR OBJECTIONS 10/18/66**

Upon motion by Mr. Clark, seconded by Mr. Taylor, public hearing was authorized to be held October 18, 1966 for the purpose of hearing objections to Special Improvements proposed in petitions from property owners in the following areas:

<u>PROJECT NO. 363B</u>	(Holiday Heights) 18th Street West from 47th Avenue West to 48th Avenue West;
<u>PROJECT NO. 420</u>	3rd Street Court West from 68th Avenue Drive West to 67th Avenue Drive West;
<u>PROJECT NO. 426</u>	37th Street West between 11th Avenue West and 13th Avenue West;
<u>PROJECT NO. 491</u>	13th Avenue West from 38th Street West to 39th Street West and 38th Street West, from 11th Avenue West to 13th Avenue West;

PROJECT NO. 496 21st Avenue West from 43rd Street West  
to 47th Street Court West.

SPEED LIMITS ON COUNTY ROADS  
RECOMMENDATIONS FOR ESTABLISHMENT

Don Lovejoy, County Engineer, reported that a study was underway for the purpose of establishing speed limits on county roads and recommendations would be made as soon as this study is completed; however, because of existing conditions and hazards observed on certain streets, he was recommending that speed limits be established as soon as possible on the following: (Emergency measure)

18th Street East between 51st Avenue and 53rd Avenue East (State Road 70) - used as bypass route to avoid traffic signal at the intersection of U.S. 301 and State Road 70 - 25 MPH;

38th Avenue East from 9th Street East to 15th Street East - 30 MPH.

Mr. Briggs stated he would like to have

Erie Road, from U.S. 301 east 1.6 mile

included in this recommendation.

Mr. Lovejoy was instructed to furnish written recommendations on these streets to the Board and to the County Attorney (to draft appropriate resolutions for adoption at the next regular meeting).

TILE PLANT  
WEIGHING SCALE AUTHORIZED PURCHASED

Upon motion by Mr. Clark, seconded by Mr. Briggs, the County Engineer was authorized to purchase a weighing scale for use at the Tile Plant, at estimated cost of \$760.00

HEALTH CENTER ADDITION  
CHANGE ORDER APPROVED

Upon motion by Mr. Taylor, seconded by Mr. Clark, the following Change Order was approved and authorized:

<u>Health Center Addition</u>		
Wayne Bailey, Contractor		
Change Order #7:	Install 10" exhaust fan	\$67.00
	Install 10x12 Vent in new	
	wall of old San. Dept.	<u>15.00</u>
Total.....		\$82.00

INTERNAL IMPROVEMENT FUND, TRUSTEES OF  
RE: UNIFORM BULKHEAD LINE PLATS

In connection with request from the Trustees of the Internal Improvement Fund for comments on recommended procedure in preparing uniform bulkhead line plats, Mr. Lovejoy stated he concurred with the procedure outlined in the Director's letter of August 29, 1966, and that this matter would be discussed at the next meeting of the Sarasota-Manatee R.L.S.

SEPTMBER 27, 1966

(Cont'd)

## STATE ROAD 683

Mr. Briggs requested that the County Engineer write a letter to the State Road Department regarding the condition of the shoulders of State Road 683 (Ellenton-Gillette Road).

U. S. 19 & 41  
RE: BLINKER SIGNAL

Upon recommendation by Mr. Briggs that the State Road Department be requested to conduct a survey for blinker signals on U. S. 19 and 41 and overpass to the school section and the ACL railroad overpass, as the traffic does not have proper warning to slow down for the school zones, the County Attorney was instructed to prepare the necessary resolution for the Board's adoption at the next regular meeting.

PROJECT NO. 419  
PROJECT ABANDONED; BIDDER NOTIFIED

Robert Moon, Right-of-way Agent, submitted report on PROJECT NO. 419 as follows:

=Original petition contained 69.2 percent of property owners' signatures for 1080 feet  
=Petition of objection filed today covered 585 feet of original petition, leaving only 495 feet, which did not meet the necessary percentage for county participation.

Motion was made by Mr. Taylor that Project No. 419 be rejected and that the low bidder, General Asphalt Company, be notified that the project was being abandoned. Motion was seconded by Mr. Briggs and carried.

## SHERIFF'S BUDGET

J. Kenneth Gross, Sheriff, advised that he did not feel that cut can be made in his requested budget except the item of \$10,000 for Contingencies, which can be dropped.

WATER SYSTEM CONSTRUCTION TRUST FUND  
REQUISITION PAYMENT AUTHORIZED

Upon motion by Mr. Briggs, seconded by Mr. Hutches, Resolution was adopted authorizing payment of

WATER SYSTEM CONSTRUCTION TRUST FUND  
Requisition No. 5B-79  
Florida Testing Laboratory

\$81.20

RESOLUTION RECORDED F20-124

MANATEE COUNTY UTILITIES SYSTEM  
RESIGNATION OF DIRECTOR

Perry A. Cessna submitted his resignation as Director of Manatee County Utilities System, effective thirty days from date. He advised that he had accepted a position with the engineering firm of Camp, Dresser, McKee of Boston, Massachusetts, and would be leaving for over-seas assignment sometime in November, with temporary residence in Dacca, East Pakistan.

Motion was made by Mr. Clark that Mr. Cessna's resignation be accepted, not with regrets, but with pride because he was taking advantage of the opportunity to better himself and the Board and Manatee County should be proud. Motion was seconded by Mr. Briggs provided the motion was amended to include award for Meritorious Service. Motion was so amended and carried unanimously.

URBAN BEAUTIFICATION & IMPROVEMENT PROGRAM

John Marble, director of Parks and Recreation, advised that Manatee County had been assigned a project number in connection with Urban Beautification and Improvement Program, Florida Project No. 1, and this was the first application to be assigned a project number in the State of Florida.

Z O N I N G

Recommendations of the Planning Commission were submitted by Neno Spagna.

SE-181 ANNIE RUTH GARVIN TRAILER PERMIT DENIED

Request by petitioner to allow trailer residence in a District "A" zone on a parcel generally located 1/4 mile west of U.S. 301 and 650 ft. south of SAL Railroad, Parrish, Fla.

The Planning Commission recommended that this petition be denied and that the violation now existing be immediately corrected.

Upon motion by Mr. Briggs, seconded by Mr. Taylor, the recommendations of the Planning Commission were accepted and SE-181 for Annie Ruth Garvin was denied.

SE-192 S. A. ROGERS TRAILER PERMIT APPROVED

Request by owner to allow mobile home as residence on 10-acre parcel generally located 4 miles east of Parrish, Fla., 650 ft. north of SR 62, in a District "A" zone. (TU-155 expired Sept. 8, 1966).

The Planning Commission recommended approval for a period of two years.

Upon motion by Mr. Briggs, seconded by Mr. Hutches, SE-192 for S. A. Rogers was approved for a period of two years from the date of September 8, 1966.

R-233 WELLONS RANCH CORP. REZONE TO R-1AB ADOPTED

Request by petitioner for a rezone from District "A" to District R-1AA for the construction of residences on approx. 10 acres generally located on the east side of Ranch Ave., 1/4 mile north of U.S. 301.

The Planning Commission recommended approval of rezone to R-1AB, which would correspond to the area lying to the West. (10-34-18)

Upon motion by Mr. Briggs, seconded by Mr. Hutches, the recommendation of the Planning Commission was accepted and rezone of R-233 to District R-1AB was adopted.

RESOLUTION

ZONING  
R-233

N-63 EDNA MAE WOLF BUILDING EXPANSION APPROVED

Request by owner to allow expansion of a non-conforming

SEPTEMBER 27, 1966

(Cont'd)

use by the addition of a room on building located on the south side of 69th Ave. W., approx. 520 ft. east of U.S. 41.

The Planning Commission recommended approval.

Upon motion by Mr. Clark, seconded by Mr. Hutches, N-63 for Edna Mae Wolf was approved.

#### UNLICENSED, UNAUTHORIZED VEHICLES

Carroll LaMar submitted report on unlicensed and unauthorized vehicles as follows:

	<u>Cars</u>	<u>Trucks</u>	<u>Trailers</u>	<u>Buses</u>
Letters sent on	238	33	7	5
Removed	118	8	--	1
Bought 1966 tags	35	4	--	1
Time extended	47	8	--	3
Trailers applying for SE			4	(2 denied)
Forwarded to Attorney	38	13	3	(1 in process of being dismantled)

Upon question, the County Attorney advised that the Board or the Sheriff has the lawful right to remove unlicensed vehicles from county right-of-ways (but no authority for disposing of them).

The Chairman stated that if there were no objections the County Attorney will proceed with legal action necessary to have the vehicles removed. There were no objections.

#### AIR CONDITIONER, COUNTY AUDITORIUM BID ACCEPTED: LOWE'S SERVICE CENTER

Upon being advised that the low bid submitted on an air conditioner for the Auditorium in the County Office Building, Sixth Avenue East, met specifications, motion was made by Mr. Taylor to accept the bid of

LOWE'S SERVICE CENTER                      \$1,563.00

Motion was seconded by Mr. Clark and carried.

#### JUVENILE DETENTION HOME

George Dowling requested permission to have the washing machine at the Juvenile Detention Home bolted to the floor; estimated cost \$60.00. It was suggested that he confer with the County Engineer about having someone from the Highway Department do this work.

#### BONDS

Upon motion by Mr. Taylor, seconded by Mr. Clark, the following bonds were approved:

##### Building Contractors

- ✓ EMERY WILSON  
#21322 State Automobile Mutual Insurance Company
- ✓ WILBUR TOWNSLEY  
#1003, The Travelers Indemnity Co.
- ✓ CHARLES H. DENGLER  
Auto-Owners Ins. Co.

Plumbing Contractors

WILLIAM A. MIDDLETON d/b/a Bill's Plumbing  
Newark Insurance Co.  
JOSEPH E. PENIX d/b/a A-1 Plumbing Service, Inc.  
#237217, Globe Indemnity Co.

DEEDS & EASEMENTS

Upon motion by Mr. Taylor, seconded by Mr. Clark, the following Deeds were accepted:

26th Street W.

L. E. & ANNA WORN W/deed Par. #15  
C. F. & MARY E. CHAPMAN W/deed Par. #37

STATE TUBERCULOSIS HOSPITAL

Upon motion by Mr. Taylor, seconded by Mr. Briggs, application of WILBUR JORDAN KENNEDY to enter the State Tuberculosis Hospital was approved.

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Briggs, seconded by Mr. Taylor, Warrant Lists from September 20, 1966 to September 27, 1966, and Requisitions were approved and Warrant Lists to October 4th, 1966 were authorized, said Warrant Lists to include any payrolls during that period upon condition that all employees have performed their services in accordance with time and payroll practices of the county departments.

General Revenue Fund	No. 4157 - 4223
Road & Bridge Fund	No. 1987 - 2004
Miscellaneous Funds	No. 284 - 286
Manatee County Utilities System	No. 1325 - 1390
\$13,500,000 Bond Issue....	No. 131 - 135

BILLS APPROVED FOR PAYMENT (INCL. STATE ROAD DEPARTMENT)

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

S. L. Chennault (Coquina Beach bldg.)	\$2,806.20
Parks & Recreation (various)	621.00

and the following bills were approved for payment by the State Road Department:

The Bradenton Herald	\$ 183.30)
	94.00)
Donald D. Bell (SRD vs Adams, et al)	30.00
Donald D. Bell (SRD vs Adams, et al)	45.00
Dale Carson, Duval County	4.00

STATE ROAD DEPARTMENT

Upon motion by Mr. Clark, seconded by Mr. Hutches, Resolution was adopted approving payment of \$4,350.00 to Goodrich, Hampton & Boylston, for legal services regarding eminent domain proceedings (State Road 45), by the State Road Department. (County & SRD vs Jack K. Adams, et al)

RECORDED 20-124A

GARBAGE FRANCHISE - TRANSFER DEFERRED

Motion to approve assignment of Garbage Franchise from McDonald Trailer Sales to Tri Par Land Development Corp. was withdrawn for further study.

GARBAGE DISPOSAL

The Federation of Community Associations suggested that question of method of waste disposal for the county be placed on the November ballot. (Letter)



SEPTEMBER 27, 1966

(Cont'd)

The meeting was recessed until 4:00 P.M.  
4:00 P. M.

The Board of County Commissioners reconvened at 4:27 P.M.,  
September 27th, 1966, with all members present.

The meeting was called to order by Chairman McClure.

MANATEE CABLEVISION, INC. (CATV)

E. J. Vehnekamp submitted progress report on Manatee Cablevision,  
Inc., operating under franchise granted by the Board on June 16th,  
1966:

- 1) Located land for tower site acceptable to FAA,
- 2) Land purchased for tower site,
- 3) Obtained FAA approval for tower site,
- 4) Obtained Zoning approval for land use, tower site,
- 5) Engineering surveys re location each utility pole;  
identification map completed (location and neces-  
sary cable mountings.

Not completed:

Netotiations for pole line attachment agreement  
with utility companies and one Federal license.

CORRESPONDENCE

Correspondence was read from

- 1) J. KENNETH GROSS, SHERIFF  
Request for item to item transfer.

BUDGET AMENDMENT: SHERIFF

Upon motion by Mr. Briggs, seconded by Mr. Hutches, the following  
Item to Item transfer was authorized:

<u>Fine &amp; Forfeiture Fund (Sheriff)</u>	
Transfer from Reserve for Contingencies	\$2,000.00
Transfer to Expenses Other Than Salaries	2,000.00

- 2) J. KENNETH GROSS, SHERIFF  
Request for reimbursement for cost of  
motorcycle (incl. radio) in amount of \$2,738.80

BUDGET AMENDMENT DEFERRED (SHERIFF)

The County Attorney pointed that this would be an addition to the  
existing budget for the Sheriff's Department, which would require  
advertising and holding a public hearing for a Supplemental Budget.

Inasmuch as it would not be possible to advertise and hold the  
necessary public hearing before the end of the fiscal year, September  
30, 1966, the Chairman stated that, if there were no objections, action  
on this matter would be deferred. There were no objections.

1966-1967 BUDGET ADOPTED

When the Chairman outlined the budget items on which the sheriff  
had indicated, via telephone, he would be willing to compromise,  
the County Attorney suggested that the sheriff be present to state  
these revisions for the record. (The sheriff could not be present)

The Chairman recommended that request of the sheriff for \$433,959 be included in the commission budget for 1966-1967.

There was no second to motion that, lacking official word on a compromise, this matter be postponed until Sheriff Gross could be present.

Motion was made by Mr. Taylor that the budget requests of Sheriff Gross be approved. Motion was seconded by Mr. Briggs, provided that the motion includes requested budget less the \$10,000 for contingencies as agreed by Mr. Gross. Mr. Taylor included the provision in his motion. Mr. Taylor and Mr. Briggs voted "Yes". Mr. Hutches and Mr. Clark voted "No". Mr. McClure voted "Yes", and motion carried.

Motion was made by Mr. Taylor that the remaining portion of the Budget for 1966-1967 be approved and adopted as advertised. Motion was seconded by Mr. Clark.

There was no second to motion by Mr. Briggs to amend Mr. Taylor's motion (for budget approval) to cut the Civil Defense budget to \$5,400.00.

Motion carried to adopt the budget for 1966-1967.

BUDGET RECORDED F20-125

MEETING ADJOURNED

Upon motion, the Chairman declared the meeting adjourned.

ATTEST:

M. T. McInnis, Clerk

APPROVED: 11 October 1966

  
Deputy Clerk

  
Chairman

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CORRESPONDENCE inadvertently omitted from Minutes of September 20, 1966

- 1) GOODRICH, HAMPTON & BOYLSTON  
Copy of letter to Sheriff Kenneth Gross  
Re: Enforcement of provisions of Florida Statute 823.07 (crime for anyone to permit old iceboxes or refrigerators to remain on their property unless same are crated or securely locked).
- 2) ANNA MARIA ISLAND POWER SQUADRON  
Appreciation re proclamation on Safe Boating in Manatee County.