

MARCH 10, 1970

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, March 10, 1970 at 9:00 A. M.

Present were Commissioners Lawrence H. Fortson, Jr.  
C. Kenneth Burton, Vice Chairman  
Dan P. McClure  
Kenneth D. Dierks

Deputy Clerk Bruce M. Cox  
County Attorney Richard A. Hampton  
(Commissioner Robert C. Hutches entered during  
the meeting)

The meeting was called to order by Chairman Fortson.

PROJECT NO. 532  
SPECIAL ASSESSMENT ROLL SUSTAINED

Public Hearing was opened for the purpose of considering Special Assessment Roll for road improvements in

PROJECT NO. 532 - 38th Avenue West from 26th Street West  
to 24th Street West  
43rd Avenue West from 26th Street West  
to 24th Street West  
25th Street West from 38th Avenue West  
to 43rd Avenue West  
24th Street West from 38th Avenue West  
to SR 684 (Cortez Road)

There were no objections or comments, and public hearing was declared closed.

Motion was made by Mr. McClure that a Resolution be adopted sustaining the Special Improvement Assessment Roll as presented, and imposing liens against all lots or parcels of land for such amounts as are reflected in said Assessment Roll. Motion was amended to include acceptance of bid of Blackburn Paving, Inc., and authorizing the appropriate county officers to execute contract for said firm for Project No. 532. Motion was seconded by Mr. Burton and carried unanimously.

RESOLUTION RECORDED N22-21  
CONTRACT RECORDED N22-22

DEED - MEMPHIS ROAD

Motion was made by Mr. Burton to accept a quit claim deed from

BOARD OF PUBLIC INSTRUCTION Memphis Road

Motion was seconded by Mr. McClure and carried unanimously.

PROJECT NO. 591  
SURVEY, PLANS & ESTIMATES

Robert Moon, Right of Way Agent, advised that petition for

PROJECT NO. 591 - 5th Street W. from 63rd Ave. W. south to canal;  
6th Street W. from 63rd Ave. W. south to  
64th Ave. Drive W.

met and exceeded requirements as a road improvement participation

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project (77.6 percent ownership signatures). (District No. 4)

Motion was made by Mr. Dierks that Project No. 591 be included in the list of priorities and the county engineer proceed with survey, plans and estimates. Motion was seconded by Mr. Burton and unanimously carried.

STATE ROAD 684 (CORTEZ ROAD) & 34TH STREET

The County Engineer advised that traffic signal equipment was on location at State Road 684 (Cortez Road) and 34th Street and should be in operation within one week.

STATE ROAD 45 (U.S. 41) & 53RD AVENUE (ONECO ROAD)

The Board was advised by the Department of Transportation, via letter to the County Engineer, dated March 6, 1970, that special left turn intervals on State Road 45 (U.S. 41) Tamiami Trail at its intersection with Oneco Road (53rd Avenue) are not warranted at this time. Mr. Lovejoy said he would recommend further study of this intersection as it is a traffic hazard.

Z O N I N G

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

R-392 ALCARIO AVALOS REZONE TO "A" POSTPONED

SE-377 ALCARIO AVALOS MIGRANT HOUSING POSTPONED

The Chairman stated that if there were no objections, items R-392 and SE-377 would be postponed until March 24, 1970, as requested by the attorney for the petitioners. There were no objections.

R-393 GALE K. GREENE REZONE TO T-1 POSTPONED

The Chairman stated that if there were no objections, R-393 would be postponed until April 21, 1970, which had been requested by the petitioner. There were no objections.

SE-379 LARRY ALBRITTON M/HOME PERMIT APPROVED (Page Request for Special Exception for mobilehome as dwelling for caretaker in conjunction with agriculture on 8-acre m/1 parcel located south of Lexington Road and East of Lebanon St. and north of Sarasota Ave., Myakka City. The Planning Commission recommended approval for a period of two years.

This being in Mr. Hutches' District (No. 5) action was deferred until he was present.

SE-381 ST. GEORGE'S CHURCH PRE-SCHOOL NURSERY APPROVED (Rev. J.H.R. Ellis, Agent) Request for Special Exception to allow Pre-School Nursery, to be started within one year from date, on property located on the south side of Saunders Rd., 950 ft. east of U.S. 41, consisting of 8 acres. The Planning Commission recommended approval and to waive the time limit for completion as indicated in Sec. 6, Para. 2 of the Zoning Ordinance.

Mrs. J.H.R. Ellis and Mrs. L. E. Cronkhite were present to answer any questions concerning the Pre-School Nursery and stated that the

required chain link fence would be erected prior to operation of the facility.

Motion was made by Mr. Dierks that SE-381 for St. George's Church be approved. Motion was seconded by Mr. McClure and carried.

SE-379 LARRY ALBRITTON M/HOME PERMIT APPROVED

Motion was made by Mr. McClure that SE-379 for Larry Albritton be approved for a period of two years with provision that the Zoning Director may renew it for an additional two years provided the area has not changed substantially in character, as recommended by the Planning Commission. Motion was seconded by Mr. Burton and carried. (It was brought to the attention of the Board that Mr. Hutches had telephoned into the office that he was delayed, and recommended that affirmative action be taken on this request.)

BISHOP'S HARBOR - BORDEN'S PLANT

Fred Burger requested information on drainage plans to divert run-off from Borden Chemical Company into Bishop's Harbor, and was advised that this information would be furnished when plans completed and submitted.

Chris Angelidis was present to answer questions concerning procedures that are being followed, which will be the ultimate decision of the courts since suit against Borden spills had been filed.

HOUSEMOVING PERMIT: MASSEY

Motion was made by Mr. Burton that application of

VAL MASSEY to move a building from  
Erie Road & Massey Dairy  
To Mar Lee Acres, Palmetto

be approved. Motion was seconded by Mr. McClure and carried unanimously.

JUVENILE DEFENDER

The Chairman advised that County/Juvenile Judge Claflin Garst had given verbal approval of Attorney Turney Matthews continuing another six months as Juvenile Defender.

Motion was made by Mr. McClure that Turner Matthews continue as Juvenile Defender for an additional six months, with the understanding this would be subject to review at the end of six-months-period. Motion was seconded by Mr. Burton and unanimously carried.

CORRECTION MINUTES AUGUST 12, 1969; MINUTES APPROVED

Motion was made by Mr. McClure that Minutes of August 12, 1969 be corrected to read as follows:

R-366 AL MAR INDUSTRIES

Request for rezoning from District R-1A to District R-3 for Condominium Development on property located on the north side of Cortez Road (SR 684), approx. 110 ft. east of San Remo Shores, consisting of 49.85 acres (1-35-16). (page 53, para. 2)

and

Mr. Fortson moved for the approval and adoption of R-366 for rezone to District R-3 as recommended by the Planning Commission. Motion was seconded by Mr. McClure and carried unanimously. (page 53, para. 6) (Corrections & Additions underscored.)

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and that Minutes of previous meetings

REGULAR MEETING OF NOVEMBER 12, 1969  
 SPECIAL MEETING OF NOVEMBER 13, 1969  
 REGULAR MEETING OF NOVEMBER 18, 1969  
 REGULAR MEETING OF NOVEMBER 25, 1969  
 SPECIAL MEETING OF NOVEMBER 20, 1969  
 REGULAR MEETING OF DECEMBER 2, 1969  
 REGULAR MEETING OF DECEMBER 9, 1969  
 REGULAR MEETING OF DECEMBER 16, 1969  
 SPECIAL MEETING OF DECEMBER 15, 1969

be approved. Motion was seconded by Mr. Burton and unanimously carried.

WARRANT LISTS & REQUISITIONS  
 BILLS FOR PAYMENT

Upon motion by Mr. McClure, seconded by Mr. Dierks, the Board unanimously approved Warrant Lists and Requisitions from March 3, to March 10, 1970, and authorized Warrant Lists to March 17, 1970, 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	10194 - 10381
Road & Bridge Fund	4632 - 4702
Fine & Forfeiture Fund	730 - 742
S E I S Operating	228 - 235
Countywide Drain	239
Hospital I & S	24
Hospital Construction	151 - 155
Manatee County Utilities System:	
13.5 Revenue Account	1921 - 1929
3.485 Revenue Account	3741 - 3757
1.65 Revenue Account	427 - 429
667,500 Revenue Account	217
General Control Fund	3123 - 3170

and the following bills were approved for payment:

Goodrich, Hampton & Boylston (County vs Hurley)	\$ 675.00
Parks & Recreation	1,336.00)
	543.01)

CERTIFICATES OF CORRECTION (E & I)

Upon motion by Mr. McClure, seconded by Mr. Burton, the Board unanimously approved Certificate of Correction (E & I) on the 1969 Tax Roll for

Tangible No. 134 Garrison Nursery

OFFICIAL DOCUMENTS - SEWER PROJECTS

Motion was made by Mr. McClure that a letter be forwarded to the Department of Housing and Urban Development that Lawrence H. Fortson, Jr., Chairman of the Board of County Commissioners, Manatee County, Florida, is designated as the officer to sign all official documents in regard to Sewer Facilities Projects in Manatee County. Motion was seconded by Mr. Dierks and unanimously carried.

## DEEDS

The County Attorney advised that law suits involved in the controversy over the Wellon Ranch Estates road had been fully settled and the County has received a deed to the disputed property.

Motion was made by Mr. Burton that the Board accept Quit Claim Deed from

TIMOTHY P. and SUSAN E. HURLEY  
for the East 30 feet of the South 349.2 feet of  
the East 228 feet of U.S. Lot 4, Section 10,  
Township 34 South, Range 18 East, lying and being  
in Manatee County, Florida.

Motion was seconded by Mr. McClure and unanimously carried.

## PORT AUTHORITY - DEPOSITORY AGREEMENT

Motion was made by Mr. McClure that the appropriate officers of the county be authorized to execute Depository Agreement designating the St. Petersburg Bank & Trust Company as depository of Manatee County Port Authority Funds. Motion was seconded by Mr. Burton and carried unanimously.

## FEDERAL GRANT - SEWERAGE FACILITIES (\$15,000)

The Board was requested to designate the appropriate department to handle deposit and withdrawals from the \$15,000 federal grant for Project No. P-Fla-3262, Manatee County Sewer Facilities: (1) Manatee County Utilities or (2) Manatee County (Deputy Clerk).

Motion was made by Mr. Burton that the disbursements be made by Manatee County Utilities System. Motion was seconded by Mr. Dierks. In discussion, Mr. Hugely observed that this would seem premature as this is a grant to the County for a feasibility study. Motion was withdrawn.

Motion was made by Mr. McClure that disbursements be handled through the office of the Deputy Clerk in the same manner as other county funds. Motion was seconded by Mr. Dierks and carried unanimously. (Manatee National Bank, depository.) (Clearance account on funds advanced by HUD for feasibility study Anna Maria Island and western portion of Manatee County.)

## CORRESPONDENCE

Correspondence was read from

- 1) DEPARTMENT OF HEALTH EDUCATION & WELFARE  
Application No. 04-002 (Revised) for air pollution control grant approved \$27,093.00 subject to terms and conditions as outlined. (Special Award Conditions)
- 2) CITY OF SARASOTA  
Resolution consenting for Manatee County Utilities System to provide water service to property owned by Sarasota-Manatee County Airport Authority, which lies within City of Sarasota.
- 3) SARASOTA COUNTY BOARD OF COUNTY COMMISSIONERS  
Requesting Manatee County consider sale of water to Sarasota County.  
Referred to appropriate committee, Russell & Axon and MCUS Director.

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- 4) PHILIP MARING  
Reminder expiration term of Fay Firkins, Board of  
Zoning Appeals.

## PLANNING COMMISSION

APPOINTMENT: FAY FIRKINS

Motion was made by Mr. McClure that Fay Firkins be appointed member of the PLANNING COMMISSION for a term of two years retroactive to March 1, 1970. Motion was seconded by Mr. Burton and carried un-animously.

- 5) CITY OF ANNA MARIA  
Appreciation for improvements in Bay Front Park.

## MANATEE COUNTY UTILITIES SYSTEM (STATE ROAD 684)

Motion was made by Mr. McClure that the Director of Manatee County Utilities System be authorized to advertise for bids to be received on pipe for relocation of water mains on State Road 684 (Cortez Road). Motion was seconded by Mr. Dierks and carried unanimously. (Open bids March 24, 1970.)

## SARASOTA-MANATEE COUNTY AIRPORT AUTHORITY

RE: LEGISLATION INCREASE MEMBERSHIP

Mr. Dierks moved for the adoption of a Resolution requesting the legislative delegation representing Manatee County to seek passage in the 1970 Legislative Session of an amendment to the Sarasota-Manatee Airport Authority Act increasing the membership to six members by adding one additional member from the Board of County Commissioners of Sarasota County and one additional member from the Board of County Commissioners of Manatee County. Motion was seconded by Mr. Burton and carried unanimously.

(Enter Mr. Hutches)

RESOLUTION RECORDED

N22-23

## LONGBOAT KEY WATER PROJECT

Frank Osteen, Jr., of Russell & Axon, Consulting Engineers, read a letter representing the joint opinion of the Consulting Engineers and the Director of Manatee County Utilities System concerning the Longboat Water Project and recommendations (1) that water be sold to the Town, during a given period on the basis of the regular rate schedule now in effect for the County System; (2) that the contract rate schedule be put into effect September 1, 1971, or later if the Town so desires, but, in the meantime selling water to them at existing County rates, and offering no objection in complying with request (Longboat Key) and agreeing to delay of review period for eighteen months to two years.

Mayor Gibbons and members of City Council, and Don Smalley, engineer, for the Town of Longboat Key, were present to discuss the proposed water project and the recommendations of Russell & Axon, Consulting Engineers for the County.

## MEETING ADJOURNED

Upon motion, the meeting was adjourned.

Attest: M. T. McInnis, Clerk

APPROVED: 28 April 1970

  
Deputy Clerk

  
Chairman