

APRIL 14, 1970

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, April 14, 1970 at 9:05 A. M.

Present were Commissioners Lawrence H. Fortson, Jr., Chairman
C. Kenneth Burton, Vice Chairman
Dan P. McClure
Kenneth D. Dierks
Robert C. Hutches
Deputy Clerk Bruce M. Cox
County Attorney Richard A. Hampton

The meeting was called to order by Chairman Fortson.

BULKHEAD LINE: TAMPA BAY (SUNSHINE SKYWAY)
PUBLIC HEARING

The Chairman declared Public Hearing open for the purpose of considering a bulkhead line in Tampa Bay.

The County Attorney stated that the public hearing was on establishment of a bulkhead line in Tampa Bay, lying within the existing rights-of-way of State Road 55, U.S. 19, Sunshine Skyway, in Sections 21 and 28, Township 33 South, Range 17 East, County of Manatee, State of Florida, and submitted as a part of the record of the proceedings, copy of the advertisement of Notice of Public Hearing, which was published on March 9, 16, 23 and 30, 1970.

Submitted also as a part of the record of this proceeding was a report from the State of Florida Department of Natural Resources, (dated December 3, 1969) signed by Mr. K. D. Woodburn, Chief, Survey and Management. This report concludes as follows:

"To conserve vegetated bottoms which serve as nursery and feeding areas for marine life and wildlife, the bulkhead line should be relocated to the line of mean high water."

✓ RECORDED

022-81

He noted that the petitioner in this case is the Department of Transportation of the State of Florida.

Don Lovejoy, County Engineer, explained to those in attendance the proposed bulkhead line by reference to the map posted on the bulletin board.

W. J. Pickhaver, District Right of Way Engineer, Department of Transportation, explained that the report from the Department of Natural Resources, which had been made a part of the record, was on the original bulkhead line that the Department had established at 1000 feet of the center line of Sunshine Skyway, but that the Department of Natural Resources had been advised that they were drawing the bulkhead line in to the area as scaled on the drawing (map) exhibited and outlined by the County Engineer; that a report was being made of the revised bulkhead line and should be complete within the next week or ten days, and that a copy would be forwarded to Mr. Lovejoy. He requested that the new report be filed for the record in these proceedings.

The County Attorney recommended that the Board close the Public Hearing, subject to having the record remain open for the receipt

of this further report from the Department of Transportation, and just as soon as this report is received the Board can take appropriate action and instruct the engineering and legal departments to prepare the necessary resolution according to action taken.

The Chairman invited further comments or testimony regarding the proposed bulkhead line. There were none.

The Chairman declared the Public Hearing closed subject to receiving report from the Department of Transportation, as requested.

Z O N I N G

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

R-397 HENRY DeMICHAEL & JOSEPH MANCINELLI: T-1 ADOPTED
(Ed Soles, Agent) - Request for rezoning from District R-1AA to District T-1 for a Rental Mobilehome Park on 47.2 acres located on the south side of 57th Ave. W., 2400 ft. east of U.S. 41. (Deferred from Board meeting April 7, 1970)
The Planning Commission recommended approval.

Inasmuch as there had been no objections or complaints concerning location of a Mobilehome Park in this area, Mr. Dierks moved for the approval of R-397 and adoption of rezoning to District T-1 for a Rental Mobilehome Park. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

ZONING
R-397

BUDGET AMENDMENT: SHERIFF'S DEPARTMENT PUBLIC HEARING AUTHORIZED

Sheriff R. W. Weitzenfeld referred to his request for a Budget Amendment of \$35,000 to provide for salary increases within his department, stating that good deputies were being lost because of the pay-basis problem; that it was his understanding that there were over-collections in the Fine and Forfeiture Fund that would allow for consideration of increase in his budget for \$5,000 per month for salaries, which would amount to \$25,000 until the end of the fiscal year, instead of the \$35,000 previously requested.

Motion was made by Mr. Hutches that the Board hold a Public Hearing, for the purpose of considering an amendment to the 1969-1970 budget in the Sheriff's Department, at 9:00 A.M., April 28, 1970. Motion was seconded by Mr. Dierks. After discussion, motion was carried unanimously.

STATE ROAD 684 (CORTEZ ROAD) WATERLINE RELOCATION : AWARD BID & CONTRACT

Herbert Hayes (Russell & Axon, Consulting Engineers) advised that due to the serious emergency condition faced by the County in re-locating the water line on Cortez Road (State Road 684) prior to commencement of operations by the Department of Transportation, various contractors were requested to quote on the installation of pipe and other materials, to be furnished by the County, and the subsequent removal of the existing water main. Plans and specifications were reviewed by Lee Tharpe, McPherson Pipeline Construction, Inc., J & J Pipeline Corporation and LaGrow Irrigation Systems, Inc. Proposals were submitted by

J & J Pipeline Corporation	\$54,860.00
LaGrow Irrigation Systems, Inc.	44,650.00

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(Cont'd)

but due to the critical time involved, Lee Tharpe and McPherson Pipeline did not wish to submit proposals.

It was recommended by the Consulting Engineers that contract be awarded to LaGrow Systems, Inc., who are presently working in the area and can move directly to this job site without delay in transporting equipment, etc. It was further recommended that Russell & Axon be authorized to perform full resident inspection on the project.

The County Attorney advised that the appropriate performance bond and terms of the contract had been reviewed and found to be in order.

Motion was made by Mr. Hutches that, due to the emergency in relocating the water mains immediately so that the contractors for the Department of Transportation can proceed with the Cortez Road project, the Board accept the proposal of LaGrow Irrigation Systems, Inc., in the amount of \$44,650.00 and that the appropriate county officers be authorized to execute the contract, and further that Russell & Axon be authorized to perform resident inspection on this project. Motion was seconded by Mr. Dierks and carried unanimously.

✓RECORDED N22-38

MANATEE COUNTY UTILITIES SYSTEM
SALE PIPE SAW AUTHORIZED

Upon being advised that Manatee County Utilities System no longer had use of a Fein Pipesaw, and it had been declared surplus equipment, motion was made by Mr. Hutches that the Board grant request of Tevis Huguely, MCUS Director, that he be authorized to sell the saw to LaGrow Systems, Inc. for \$2,000.00. Motion was seconded by Mr. Dierks and carried.

BAYSHORE GARDENS GRAVITY SEWER LINES
ADVERTISE FOR BIDS (REPAIRS)

Motion was made by Mr. Burton that the Board receive sealed bids on April 28, 1970, for the repair of the Bayshore Gardens Gravity Sewer Lines, and that advertisement of said bids be ratified. Motion was seconded by Mr. Hutches and unanimously carried.

MANATEE CABLEVISION VS. G-TEC
REPORT RE VIOLATIONS

Don Lovejoy, County Engineer, submitted report on investigation of certain violations of standard safety procedure by General Telephone, as listed in petition of Manatee Cablevision, Inc., requesting cancellation of G-TEC franchise. Upon question, he advised that the allegations were upheld - the county has no authority or jurisdiction over those appearing in the city - installations not according to specifications and joint use provisions set up by the utilities themselves, that is the power, telephone and CATV people (for joint use of poles); indications that workmanship not according to their own standards.

This matter was scheduled to be further discussed in work session to be held Thursday, April 16, 1970, at 10:00 A.M.

GREENE BRIDGE - REPAIRS, ETC.

Mr. Lovejoy reported that Ray Everett, Maintenance Engineer for the State Department of Transportation, does not concur with request in joint resolution by the City of Palmetto and the City of Bradenton for street repairs and painting, sandblasting and spraycreting Greene Bridge; that the bridge is structurally sound but mechanism is worn

rusted and it would be necessary to prepare plans on mechanism, which would involve great expense.

U.S. 41 & GREENE BRIDGE
REQUEST TO RESURFACE

Mr. Burton moved for the adoption of a Resolution supporting the requests by the City of Bradenton and the City of Palmetto that the State Department of Transportation resurface Business U.S. 41 from 17th Street W. in Palmetto to 14th Street W. in Bradenton. Motion was seconded by Mr. Dierks and unanimously carried.

RESOLUTION RECORDED N22-39

AGREEMENT: ERNEST SIELOFF

Agreement between Manatee County and Ernest W. Sieloff and Doris J. Sieloff was executed by the Chairman of the Board. This Agreement was for excavation and removal of shell and shell marl materials from property owned by Mr. Sieloff by the County as needed (\$1.20 per small truck load).

RECORDED N22-40

STATE ROAD 675
AGREEMENT ACQUISITION OF RIGHT OF WAY

Mr. Burton moved for the adoption of a Resolution authorizing acquisition of right-of-way and execution of contract/agreement with the State Department of Transportation on

That portion of Section 13510, STATE ROAD 675, including Bridge and approaches across Gilley Creek in Section 28, Township 34 South, Range 20 East.

Motion was seconded by Mr. Hutches and unanimously carried.

RESOLUTION/AGREEMENT RECORDED
N22-41

STATE ROAD 64 - TOLL BUILDING

Upon being advised that the State Department of Transportation had requested decision as soon as possible concerning installation of the typical deceleration lane and lease of the toll building on State Road 64, Mr. McClure said he would contact the Chamber of Commerce to see if they are willing to pay the cost of the deceleration lane (estimate \$3,000) since they would be leasing the building and this was for their benefit.

PROJECT NO. 498
PUBLIC HEARING SCHEDULED

Robert Moon, Right-of-Way Agent, advised that petition for Special Improvements on

PROJECT NO. 498: 27th Avenue East from 1st Street East to 3rd Street East

met legal requirements for a participation project (71.73 percent ownership signing petition.

The Board set the date of May 5, 1970, at 9:00 A. M. for Public Hearing for objections to Project No. 498.

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STATE ROAD 64

Mr. Hutches requested the County Engineer to consult with Ray Everett to see if adequate repairs can be made to State Road 64 from Sullivan's Bridge to the 19 Mile Post prior to the tomato season getting underway when heavy trucks will be travelling this route. He said this stretch of road is in very bad condition and dangerous.

HOUSEMOVING PERMITS (JOHNSON) (McCROWE)

Motion was made by Mr. Burton that application of

R. E. JOHNSON & SON to move a building
From 5960 Midnite Pass Road, Siesta Key, Sarasota
To South 30 feet of Lot 8; Lot 9, Sunshine Harbor
707 32nd Ave. E., Ellenton (Harbor Avenue)

be approved.

Mr. Raiber, a property owner in Sunshine Harbor Subdivision, stated he had no objections to the house being moved to this location, but objected to the closing of the ditch in question as this was the only facility that takes drainage into the county right-of-way.

Mr. Burton stated that he will handle this problem as it was his understanding that there was no intention of closing the ditch or diverting any drainage in the area.

Motion was seconded by Mr. Hutches and carried unanimously.

Motion was made by Mr. Hutches that application of

JOHN McCROWE to move a building
From 5960 Midnite Pass Road, Sarasota
To 4420 51st Street E., Bradenton (Royal Palm Gardens)

be approved. Motion was seconded by Mr. Dierks and carried.

MANATEE BEACH PAVILION

Motion was made by Mr. McClure that the bill for roofing on the Manatee Beach Pavilion be approved for payment:

Cortez Roofing Company	\$925.00
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Motion was seconded by Mr. Dierks and carried unanimously.

TRAVEL AUTHORIZED - BUILDING DIRECTOR & INSPECTORS

Motion was made by Mr. McClure that the Board grant request of Harry Boothe, Building Director, for travel authorization for him and Inspectors from his Department to go to Pompano Beach to view modular houses. Motion was seconded by Mr. Hutches and carried.

BUILDING DEPARTMENT (MOBILEHOMES) (SETBACK VIOLATIONS)

Mr. Hutches requested the County Attorney to research the law on mobilehomes and make recommendation as to how the Board may classify certain units that do not have the appearance of mobilehomes (ref. "modular homes").

James Riha, representing the property owners in Trailer Estates,

asked if any decision had been reached as to the appropriate county department authorized to enforce building setback violations and to see that building and zoning ordinances are adhered to.

It was pointed out that the zoning clearance is issued prior to the building permit being issued; that if any violation is reported to the zoning department while construction is under progress an investigation will be made. The County Attorney recommended that both the Zoning and Building Departments proceed jointly as to enforcement of county ordinances.

It was decided that this matter would be discussed further in work session on Thursday and to consider establishing a policy as to which department shall enforce certain violations.

PROCLAMATION: SECRETARIES WEEK

Motion was made by Mr. Hutches that the Chairman of the Board be authorized to execute Proclamation declaring the week of April 19-25, 1970, "Secretaries Week" and April 22, 1970 as "Secretaries Day". Motion was seconded by Mr. Burton and unanimously carried.

PROCLAMATION RECORDED N22-42

BISHOP'S HARBOR; LAKE MANATEE (RESERVOIR)

Upon question by Fred Burger if anything is being done, or going to be done about the sea lettuce growth in Bishop's Harbor, he was advised that the State was still making its survey and will make report to the State Pollution Control Board; that Chris Angelidis would be requested to submit any report that was available for the public.

Mr. Hutches noted that the upper end of the reservoir is covered with hyacinths and there will be a tremendous problem in the very near future.

BONDS

Motion was made by Mr. Dierks that the Board approve

Sheriff's Department

Additions to U.S. Fire Insurance Company Bond No. 70 50 11:

ROBERT B. KITZMILLER, JR.	-Posseman
ED HALL	-Posseman
BRENDA L. SAULS	-Office Clerk

Bonds: Moving and Alterations of Buildings

R. E. JOHNSON & SON, INC.	General Insurance
For J. H. SMITH	
(From Erie Road & Massey Dairy, Palmetto TO 1616 18th Street Court E., Palmetto - Lot 7, Block 6, Marlee Acres)	
ROWE MEADE	Georgia Casualty
For W. W. TOWNSEND	
(From 1529 Lasula Court to 6405 48th Ave. Dr. E.)	

Motion was seconded by Mr. McClure and carried unanimously.

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. McClure, seconded by Mr. Burton, the Board un-animously approved Requisitions and Warrant Lists from April 7 to April 14, 1970 and authorized Warrant Lists to April 21, 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.

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General Revenue Fund	10602 - 10684
Road & Bridge Fund	4813 - 4881
Fine & Forfeiture Fund	767 - 774
S E I S Operating	249
Hospital I & S	27
Hospital Construction	156

BILLS FOR PAYMENT

Upon motion by Mr. Hutches, seconded by Mr. Dierks, the Board un-
animously approved the following bills for payment:

Watson & Company	1,400.00	
Parks & Recreation (various)	594.97)	
	314.38)	
Reeves Fences, Inc. (P & R)	822.00	(HUD)
Spacesaver Door Co. (P & R)	240.00	(HUD)
J. R. Deal (P & R)	67.20	(HUD)

CORRESPONDENCE

Correspondence was read from

- 1) BOARD OF COUNTY COMMISSIONERS, BREVARD COUNTY
Re: Space Shuttle System

CAPE KENNEDY - SPACE SHUTTLE SYSTEM

Motion was made by Mr. Dierks that the Board support the request of Brevard County that "maximum use should be made of the existing facilities to support the space shuttle program" and that "the extensive launch and checkout capabilities at the Kennedy Space Center... should receive early and most careful consideration" by adoption of the appropriate Resolution requesting the National Aeronautics and Space Administration to designate CAPE KENNEDY as the operational base for the space shuttle system. Motion was seconded by Mr. McClure and unanimously carried.

RESOLUTION RECORDED N22-43

- 2) BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Advising approval of Revised Bulkhead Line #41(3-10-70) South County, established by Board of County Commissioners on August 19, 1969, and that certificate will be forwarded in the near future.

SEWERAGE WORKS PROGRAM (ISLAND/WEST COUNTY)

The Deputy Clerk reported receipt of Federal Grant funds in the amount of \$15,000 for the Island/West County Sewerage Works Project.

MEETING ADJOURNED

Upon motion, the meeting was declared adjourned.

Attest:

M. T. McInnis, Clerk

APPROVED: 26 May 1970

Bruce M. Col
Deputy Clerk

Lawrence H. Johnson Jr.
Chairman