

APRIL 28, 1970

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, April 28, 1970 at 9:07 A. M.

Present were Commissioners Lawrence H. Fortson, Jr., Chairman  
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 was absent.)

The meeting was called to order by Chairman Fortson.

MINUTES APPROVED

Motion was made by Mr. McClure that Minutes of

REGULAR MEETING OF FEBRUARY 24, 1970  
REGULAR MEETING OF MARCH 3, 1970  
REGULAR MEETING OF MARCH 10, 1970  
SPECIAL MEETING OF MARCH 10, 1970

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

SUPPLEMENTAL BUDGET 1969-1970: PUBLIC HEARING  
ADOPTED (SHERIFF'S DEPARTMENT)

The Chairman declared Public Hearing open for the purpose of considering a Supplemental Budget for Manatee County for the Fiscal Year ending September 30, 1970, which had been duly advertised for hearing on this date, for the Sheriff's Department to provide increase in salaries to Deputies and others in said Department.

Presentation was made by Sheriff R. W. Weitzenfeld concerning qualifications of personnel and basic salaries and percentage of increase that would be possible with this amendment. He pointed out that the \$5,000.00 per month will be reflected by increase in his budget for next year (total \$60,000.00). Upon question, he stated this would not mean he would be asking for additional personnel specifically.

F. M. Vandeventer, representing the Federation of Manatee County Community Associations, presented a resolution adopted by that organization approving the Sheriff's request for the Supplemental Budget of \$25,000.00.

Others present and commenting on the proposed Supplemental Budget were

Jimmy Alderman - in favor of increase;  
E. A. Getman - in opposition only because it was not enough.

Public Hearing was declared closed.

Motion was made by Mr. Burton that Supplemental Budget for the fiscal year ending September 30, 1970, be adopted as follows:

<u>FINE &amp; FORFEITURE FUND</u>	<u>Revenue</u>	<u>Expenditures</u>
Excess over anticipated Receipts	\$25,000.00	
Sheriff-Salaries of Deputies . . . . .		\$25,000.00

Motion was seconded by Mr. Dierks, and carried unanimously.

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**BAYSHORE GARDENS GRAVITY SEWER LINES  
BIDS OPENED ON REPAIRS**

Sealed bids for repair of Gravity Sewer Lines, Bayshore Gardens, were received, opened and read from the following:

- ALABAMA WATERPROOFING COMPANY, INC.                      No bid
- SOUTHERN LINE CLEANING, INC.  
Base Bid \$73,314.10; Alt. #1 \$45,405.10; Alt. #2 \$80,773.00  
(120 calendar days; 25 percent bid bond)
- PENETRYN SYSTEMS, INC.  
Base Bid \$113,902.17; Alt. #1 \$131,012.69;  
Alt. #2 \$149,637.74 (360 cal. days; 5% bid bond)
- VIDEO PIPE GROUTING COMPANY  
Base Bid \$84,781.73; Alt. #1 \$88,971.76;  
Alt. #2 \$125,541.24 (220 cal. cays; 5% bid bond)
- UNITED SURVEY, INC.  
Base Bid \$93,136.30; Alt. #1 \$95,139.60;  
Alt. #2 \$137,657.30 (180 cal. days; cashier's check \$6,900.)

The bids were referred to the Consulting Engineers, Russell & Axon, for tabulation and recommendation.

**BAYSHORE GARDENS SEWAGE PLANT IMPROVEMENTS  
PROJECT ACCEPTED; LIQUIDATED DAMAGES REF. COUNTY ATTORNEY**

Russell & Axon, via Herbert Hayes, recommended that the Bayshore Gardens Sewage Plant Improvements project be accepted as of March 20, 1970. He noted that the completion date on this project was September 19, 1969, and with completion and acceptance date of March 20, 1970, the project exceeded the contract completion date by 182 days; that the contract with Mechanical & Chemical Equipment Company provided for assessment of \$100.00 as liquidated damages for each consecutive calendar day after contract completion date that the work remains incomplete. It was recommended that the matter of liquidated damages and final payment be referred to the County Attorney.

Motion was made by Mr. McClure that the project be accepted as of March 20, 1970, as recommended by the Consulting Engineers. Motion was seconded by Mr. Dierks and carried unanimously.

Motion was made by Mr. McClure that the matter of liquidated damages and final payment to the contractor, Mechanical Chemical Equipment Company, be referred to the County Attorney for review and subsequent recommendations. Motion was seconded by Mr. Dierks and unanimously carried.

**SANITARY SEWAGE TREATMENT PLANT - ANNA MARIA SEWERAGE DISTRICT  
APPLICATION FOR FEDERAL GRANT**

Herbert Hayes read a Resolution authorizing filing of application

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(Cont'd)

with the United States of America for a federal grant to provide for the construction of sewage treatment works under the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et. seq), said construction being a sanitary sewage treatment plant, master lift station, force main, interceptor and outfall line for Anna Maria Island and the western portion of Manatee County. The amount of the anticipated grant is \$497,735.00.

In view of discussions underway with the City of Bradenton relative to joint city-county disposal facilities, Mr. Hayes was instructed to confer with the city officials so that they would be aware this application is being filed in order to meet the deadline of May 4, 1970, and if any complications should develop the application can be amended. (Report accompanying application shows alternate plant site location to be along Manatee Avenue Causeway.)

Mr. Dierks moved for the adoption of the Resolution, read by Mr. Hayes, authorizing the execution of application for a federal grant for the Anna Maria Island sewage works project. Motion was seconded by Mr. McClure and unanimously carried.

RESOLUTION RECORDED N22-48

## LEGISLATION: ASSESSMENT PHOSPHATE LANDS

The Board offered no objection to the County Attorney complying with request of Hiram Strickland, Tax Assessor, to appear with the committee in Tallahassee regarding a legislative bill being introduced (April 29, 1970) providing for assessment of phosphate lands as such.

## Z O N I N G

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

R-393 GALE K. GREENE REZONE TO T-1 DENIED  
Request for rezoning from District A to District T-1 for Rental Mobilehome Park on property located in the general area west of 39th St. E., 1320 ft. north of 63rd Ave. E., and 1320 ft. E. of 33rd St. E., consisting of approx. 120 acres.  
The Planning Commission recommended denial (Committee report read.)

Mr. Greene was present and described the general location as adjoining Gateway East, noting the need for parks that will allow children, and his belief that this use will upgrade the area and that Pearce drainage canal was a natural buffer for the proposed park. Carl Becker, an adjoining property owner, objected to the rezoning. Mr. Dierks noted that the need for family-type parks was recognized but this is not the proper location, and moved that R-393 for rezone to District T-1 be denied. Motion was seconded by Mr. Burton and unanimously carried.

R-400 A. T. BIERBAUM REZONE TO C-1 ADOPTED  
(F. G. Grace, agent) - Request for rezoning from District R-1AA to District C-1 for uses consistent with C-1 zoning on property located at 1307 - 63rd Ave. E.  
The Planning Commission recommended approval.

F. G. Grace stated the purpose was to operate a business "Fleet Clean" - office and shop - for cleaning mobilehomes and houses.

Motion was made by Mr. Dierks that R-400 be approved and rezoning to District C-1 adopted. Motion was seconded by Mr. McClure and carried

unanimously.

RESOLUTION RECORDED

ZONING  
R-400

SARASOTA COUNTY REZONE PETITION NO. 768

Notice to consider rezoning from A-2 Agriculture to R-3A (Mobilehome Park) on approx. 250-acre tract of land easterly of the junction of State Road 780 and Verna Road, and westerly of the east Sarasota County line. (May 7, 1970).

It was noted that the Board had written a letter to the Sarasota County Planning Commission in November, 1969, objecting to this rezoning, and they would be notified there had been no change in opinion and the objection still stands.

LIBRARY STUDY - CHARGE FOR COPIES

Motion was made by Mr. McClure that the Planning Department be authorized to charge \$5.00 each for copies of the Library Study. Motion was seconded by Mr. Dierks and carried unanimously.

BUILDING DIRECTOR  
TRAVEL RE MODULAR HOUSES

The Board offered no objections to Harry Boothe attending a meeting in Orlando, April 29, 1970, as representative of Florida West Coast, concerning modular homes, and also meetings in the future on this subject. (Requests for Travel forms to be submitted for approval when dates known.)

LEGISLATION: RAILROAD CROSSINGS

The Board was advised that Representative Tom Gallen will be sending a copy of the Railroad Crossing bill for review and comment by Board members.)

AUTOMATIC COPIERS  
ADVERTISE FOR BIDS

Motion was made by Mr. McClure that Martin Williams, purchasing agent, be authorized to advertise for bids for one or more Automatic Copier Machine (s), said bids to be opened May 19, 1970. Motion was seconded by Mr. Burton and carried unanimously.

CERTIFICATES OF CORRECTION (E & I)

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

<u>Tangible</u>	No. 133	Allen, Richard, Barber Shop
	145	Rollie E. & Mary Viola Miers

26TH STREET DRAINAGE

Mr. Buford Toy asked the Board members to view the very large and dangerous ditch or drainage canal in the area of 26th Street and 58th Avenue. He said it was now causing erosion damage to the property and the situation would be even more serious when heavy rains occur. This matter was discussed and taken under advisement.

BONDS

Upon motion by Mr. McClure, seconded by Mr. Dierks, the Board

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(Cont'd)

unanimously approved

Sheriff's Department Bonds

RICHARD V. WOLF, Special Deputy (Insurance Company of  
 ELMER F. MOELLER, Special Deputy (North America

Bonds: Completion of Moving and Alteration of Buildings

R. E. JOHNSON & SON, INC. General Insurance  
 From 5960 Midnight Pass Road, Siesta Key  
 To 4420 51st St. E., Bradenton  
 (Owner: R. E. Johnson & Son)

R. E. JOHNSON & SON, INC. General Insurance  
 From: 3812 Manatee Ave. W.  
 To: 42nd St. W. & 2nd Ave., Bradenton  
 (Owner: Edward Chance)

R. E. JOHNSON & SON, INC. General Insurance  
 From: 3616 Osprey Ave., Sarasota  
 To: 6 miles east of Myakka City  
 P 2- of 28-36-22 (Owner: E. E. Simmons)

## WARRANT LISTS &amp; REQUISITIONS

Upon motion by Mr. Burton, seconded by Mr. Dierks, the Board un-  
 animously approved Requisitions and Warrant Lists from April 21 to  
 April 28, 1970, and authorized Warrant Lists to May 5, 1970, said  
 Warrant Lists to include any payrolls during that period upon condi-  
 tion that all employees have performed their services in accordance  
 with time and payroll practices of the county departments.

General Revenue Fund	10755 - 10820
Road & Bridge Fund	4926 - 4939
Fine & Forfeiture Fund	779 - 780
S E I S Operating	255
Manatee County Utilities System:	
13.5 Revenue Account	1974
3.485 Revenue Account	3781 - 3782
1.65 Revenue Account	439
667,500 Revenue Account	225
General Control Fund	3296 - 3300

## BILLS FOR PAYMENT

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

M. Rodney Adams, Jr., M.D.)		
Arthur A. Beaudry, M.D. )	\$	30.00 total
James M. Doss (Betts Road)		258.00
Florida Department of Health & Rehabilitative Services		3,015.00

## BORDEN CHEMICAL COMPANY; G-TEC

Bruce Cox, Deputy Clerk, reported receipt of Certificate of Insur-  
 ance from G-TEC (Cablevision franchise) and Borden Chemical Company  
 check for \$15,000 (acid spills Bishop's Harbor - settlement agreement).  
 Motion was made by Mr. McClure that these items be reflected in the  
 Minutes. Motion was seconded by Mr. Burton and carried.

CONSTRUCTION TRUST FUND  
PAYMENT REQUISITION

Mr. McClure moved for the adoption of a Resolution authorizing  
 payment of

BAYSHORE GARDENS SEWER IMPROVEMENT CONSTRUCTION TRUST FUND  
Requisition No. 10D-13  
 Russell & Axon

\$217.13

RESOLUTION RECORDED N22-49

Motion was seconded by Mr. Dierks and unanimously carried.

STATE ROAD 683  
 MCUS USE PERMIT

Mr. Dierks moved for the adoption of a Resolution authorizing application to the State Department of Transportation for a Use Permit to Manatee County Utilities System for the construction and maintenance of a utility line within the right of way of State Road No. 683. Motion was seconded by Mr. Burton and carried unanimously.

RESOLUTION RECORDED N22-50

5-YEAR HIGHWAY CONSTRUCTION PROGRAM/BUDGET  
 AMENDMENT - DEPARTMENT OF TRANSPORTATION

Mr. McClure moved for the adoption of a Resolution providing for amendment to the Manatee County Five-Year Highway Construction Program for the fiscal years 1970-1971 through 1974-1975 as follows:

- 1) State Road 684, Cortez Road to 59th Street (4.6 miles)  
 (PE-RW): Decrease estimate 1972-73 from \$200,000 to \$100,000.
- 2) Add additional Item No. 13, County Line Road, State Road 683 to I-75 (PE-RW) (5.0 miles) for 1971-72, \$100,000.

Motion was seconded by Mr. Burton and unanimously carried.

RESOLUTION RECORDED N22-51

CORRESPONDENCE

Correspondence was read from

- 1) TEVIS HUGUELY, Director, Manatee County Utilities System  
 Copy of letter from Mr. and Mrs. J. Richard Reed rescinding bid to purchase surplus property on Anna Maria Island (Holmes Beach) as City of Holmes Beach would not consent for zoning for requested use.

BUDGET: COUNTY LIBRARY  
 ITEM TO ITEM TRANSFER

Motion was made by Mr. Dierks that the following Item to Item transfer be approved and authorized in the 1969-1970 Budget:

<u>General Revenue Fund</u>	<u>Increase</u>	<u>Decrease</u>
*Island Library, Holmes Beach	\$2,500.	
Purchase of Books	500.	
Contingencies		\$3,000.

Motion was seconded by Mr. McClure and unanimously carried.

\*Correction: Manatee County Library for  
 Holmes Beach Library.

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## VOTING MACHINES

Upon question as to commitment from Broward County on purchase of Shoup Voting Machines from Manatee County, Mr. McClure advised that Fort Lauderdale officials had inspected the machines and recommendations to be submitted to their Board this date.

Concerning cost of interlocks to be installed on present machines, Mr. Dierks read the following telegram into the record:

THIS IS TO CONFIRM OUR TELEPHONE CONVERSATION OF APRIL 27 WHEREIN THE SHOUP VOTING MACHINE CORP AGREED TO A 15 PER CENT CASH DISCOUNT BASED ON OUR MOST RECENT PROPOSAL TO MRS DAVIS SUPERVISOR OF ELECTIONS. IN THE EVENT THAT THE BOARD OF COMMISSIONERS VOTE TO APPROPRIATE FUNDS FOR THIS MODIFICATION FOR THE COMING FISCAL YEAR. WE WILL AGREE TO FURNISH THESE EQUIPMENT AND MODIFICATION FOR THE SEPTEMBER 1970 PRIMARY ELECTIONS. OUR DECISION TO ALLOW THIS DISCOUNT IS BASED ON THE FACT THAT WE HAVE INCURRED THE EXPENSE OF A PARTIAL MODIFICATION FOR ALL 170 MACHINES AND OUR DESIRE TO BE OF CONTINUED SERVICE TO A VALUED CUSTOMER=  
DAGID E CHENOWETH REG SALES MGR=

Mr. Dierks clarified the cost to be \$36,400 minus 15 percent.

The County Attorney referred to the law suit which had been filed, Miller vs. Manatee County Commissioners on purchase of new voting machines, and advised that he needed to respond by the following Monday. (Discuss in work session on Thursday, April 30, 1970).

## MEETING ADJOURNED

Upon motion, the meeting was adjourned.

Attest:

M. T. McInnis, Clerk

  
Deputy Clerk

APPROVED: 16 June 1970

  
Chairman