

MAY 5, 1970

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, May 5, 1970 at 9:00 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.

GIRLS CLUB 25TH JUBILEE WEEK - PROCLAMATION

Mrs. Harry Pratt and Mrs. Kenneth Phillips were present in the interest of the Manatee County Girls Club and the 25th Jubilee Week to be celebrated in observance of the founding of Girls Clubs of America.

Motion was made by Mr. Hutches that the Chairman of the Board be authorized to proclaim the week of May 10 - 16, 1970 to be National Girls Club Jubilee Week in this County. Motion was seconded by Mr. McClure and unanimously carried.

PROJECT NO. 498

✓ PROCLAMATION RECORDED N22-52

PROCLAMATION: MENTAL HEALTH MONTH

Frank Benjamin and Bob Kelly presented Proclamation for Mental Health Month to be observed during the month of May, 1970, and to urge all citizens to support the work of the Manatee County Mental Health Association.

Motion was made by Mr. Hutches that the Chairman of the Board be authorized to proclaim the Month of May, 1970 as MENTAL HEALTH MONTH and to execute said Proclamation. Motion was seconded by Mr. McClure and unanimously carried.

✓ PROCLAMATION RECORDED N22-53

PROCLAMATION: VOTERS REGISTRATION MONTH

Motion was made by Mr. Hutches that the Chairman of the Board be authorized to declare and proclaim the Month of May, 1970 as VOTERS REGISTRATION MONTH as recommended by the Bradenton Voter and Civic League. Motion was seconded by Mr. McClure and unanimously carried.

PROJECT NO. 498

✓ PROCLAMATION RECORDED N22-54

SPECIAL ASSESSMENT ROLL AUTHORIZED

The Chairman declared Public Hearing opened for the purpose of hearing objections to Special Improvements proposed in petitions from property owners in the following area:

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

Upon request of Harry Vaught, president of the Manatee Farm Bureau, that curbing be installed to complement their parking lot, the County Engineer advised that no curb breaks were necessary in this Miami-type curbing and driveways may be placed at any convenient location.

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Jan Wagner - 120 27th Avenue East - asked for clarification of the improvements, etc.

There were no objections, and those in attendance were in favor of the project.

Public Hearing was closed.

Mr. Dierks moved for the adoption of a Resolution ordering the improvements described in the petitions and authorizing a Preliminary Special Assessment Roll prepared for public hearing on May 19, 1970. Motion was seconded by Mr. McClure and carried unanimously.

RESOLUTION RECORDED N22-55

PROJECT NO. 507
PUBLIC HEARING MAY 26. 1970

Robert Moon, Right-of-way Agent, advised that Project No. 507 met legal requirements for a county participation improvement project, with 66.87 percentage property owners signing petitions.

Motion was made by Mr. McClure that public hearing be held May 26, 1970, to hear objections to special improvements in

PROJECT NO. 507 - 22nd Street West, from 53rd Avenue West south to end.

Motion was seconded by Mr. Dierks and carried unanimously.

PROJECT NO. 499

Mr. Moon referred to Project No. 499, which had been accepted in 1965 and added to the priority list. He said the petitions had been rechecked as to current property owners and the percentage had dropped to 66.58, which did not meet legal requirements of a participation project. He said the petitioners had been notified and it was not known whether or not they would request opportunity to re-activate the petitions.

PROJECT NO. 393A

Board members offered no objections to proceeding on Project No. 393-A on basis of a thirty-five-foot right-of-way. This is a pending project from 1964, on 17th Street West in Gregory Estates, where it would be a hardship on property owners to provide right-of-way to build a 40-foot road.

PROJECT NO. 576

Mr. McClure recommended and moved that necessary steps be taken to expedite Project No. 576 - 34th Street West - which is a joint city-county project. Motion was seconded by Mr. Hutches and carried unanimously.

MAGNOLIA MANOR (18TH AVENUE EAST)

Mr. Hutches noted that something should be done about the condition of 18th Avenue East (Magnolia Manor) used extensively by county trucks hauling pit materials. He said it was practically impassable and recommended that this be included as a project in the next budget if it is contemplated to be in use for an extended time. (To be discussed in work session.)

TRAVEL AUTHORIZED

Motion was made by Mr. Dierks that Ken Elston be authorized to attend a Traffic Operations & Planning Conference in Tampa, May 20, 1970 (county vehicle), as requested by the County Engineer. Motion was seconded by Mr. Burton and carried.

SAN REMO SHORES

The County Engineer reported that Cortez Public Service Company (John J. Shea) had employed Penetryn System, Inc., to inspect the sewer line on the entrance road into San Remo Shores Subdivision for breaks that might be causing problems of "dips" in the road; that the line had been cleaned and inspected; that there no joints leaking and the pipe was in good shape. In view of this report from Penetryn, he recommended that the county remove the dip in the road, also from the curb if necessary, and repair the road at county expense. There were no objections.

U.S. 41 (BUSINESS) & GREENE BRIDGE

The County Attorney advised that the attorney for the City of Bradenton had requested that the Board reconsider a Resolution, adopted in a previous meeting, concerning repairs on U. S. Business 41 and Greene Bridge, which was not in the same form as that adopted by the City, and that a new resolution be adopted specifying that the Greene Bridge be sandblasted and spraycreted.

Mr. Hutches made a motion that the Resolution of April 14, 1970, regarding repairing U. S. Business 41 and Greene Bridge, be rescinded, and that a new Resolution be adopted in accordance with request from the City of Bradenton. Motion was seconded by Mr. McClure and carried unanimously.

RESOLUTION RECORDED

N22-56

McMULLEN CREEK; FROG CREEK
RE: APPLICATION FOR DREDGE PERMIT

In order to clear up any misunderstanding as to location of dredging operations in McMullen Creek and Frog Creek, Mr. McClure suggested that the County Engineer write a letter to the Corps of Engineers clarifying that the application was for drainage purposes only and not for work to be done in Terra Ceia Bay and no navigation channels involved. (Copy of letter to this Board.)

LOT CLEARING: PETITION LC-121
PUBLIC HEARING & ORDER FOR CORRECTIVE ACTION

The Chairman declared Public Hearing opened on

Lot Clearing Petition No. 121

Filed by HELEN W. GLAZENER
5111 14th Avenue Drive W., Bradenton

Property owned by MARCIA W. RECHTSCHAFFEN
Described as S $\frac{1}{2}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of
Section 32, Township 34 South,
Range 17 E.

Mrs. Glazener was present and described the lot as being under heavy growth and infested with rats and snakes.

Mr. Phil Maring advised that the complaint had been investigated

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and the petition was a valid one.

The Chairman declared the Public Hearing closed.

Mr. McClure moved for the adoption of a Resolution demanding that the property owner take corrective action with regard to the land described in the petition within fifteen (15) days from the date of said Resolution. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

N22-57

26TH STREET DRAINAGE-CANAL

Mr. Burford Toy again came before the Board with regard to the drainage canal which was dug in conjunction with the paving of 26th Street (Department of Transportation) and to urge that consideration be given to install drainage tile to prevent further erosion of private property in the area of 58th Avenue W.

Among other area residents present and expressing concern on the erosion problem along the banks of this canal were Mr. Lee Roberts, Mr. W. D. Grogan, Mr. R. C. Purdy, Mr. Krause and Mrs. Van Orden. (58th Avenue W. and 58th Avenue Drive W.)

The County Engineer estimated the cost of tiling the approximately 400-foot canal to be very close to \$50,000 and suggested that the Board give consideration to the most hazardous portion; that the Right-of-way agent check out what steps can be taken to obtain secondary funds for this purpose; to investigate the possibility of amending the Road and Bridge Budget from the Contingency Fund to alleviate the problem in the most hazardous portion. (Would be necessary to effect transition from box culvert to metal type culvert.) He said he would submit more specific recommendations at the next regular meeting.

PARKS & RECREATION

H U D PROGRAM AMENDMENT (PALMA SOLA RECREATION PARK)

John Marble, Director of Parks and Recreation, referred to a problem at the Palma Sola Recreation Park concerning the water situation, and stated that the Atlanta office of HUD had advised that the balance of funds from the parking lot at Coquina Beach could be used to install water lines to the Park. (Parking lot going to cost less than anticipated.) He requested that the HUD program be amended to include installation of 780 feet of 12-inch line and 1,680 feet of 4-inch line by Manatee County Utilities System (estimated cost \$6,500.00), extending existing water mains into the Park.

Motion was made by Mr. Hutches that request for amendment to the Housing & Urban Development Program be authorized and executed by the Chairman. (Fla. B-12) Motion was seconded by Mr. McClure and unanimously carried.

COQUINA BEACH - AREA FOR HANDICAPPED

The Board offered no objections to an area at Coquina Beach being set aside to be used by handicapped persons and for Mr. Marble to check arrangements, ropes, etc., at Venice Beach and come back to the Board with more specific plans.

MANATEE CABLEVISION & GENERAL TELEPHONE

E. J. Vehnekamp and William E. Langendorf came before the Board to

reaffirm petition of Manatee Cablevision, of March 6, 1970, and request that the Federal Communications Commission's final Decision in this matter (Docket 18610) be entered as further evidence supporting said petition (with reference to installations by General Telephone Electronic Corporation - GTEC).

Motion was made by Mr. McClure that the Board receive the letter and the contents be added to the petition. Motion was seconded by Mr. Hutches and carried unanimously.

SURPLUS AIR CONDITIONERS

DONATED TO OTHER AGENCIES; DELETED FROM INVENTORY

Motion was made by Mr. McClure that four of the fifteen surplus Air Conditioners received from the Manatee Memorial Hospital be donated to

Island Branch Library

1 G.E. Superline A/Conditioner, Model Nr IRF-684D-C2,
Serial Nr. 10HB36699, 230V;

Manatee Opportunity Council

1 G.E. Superline A/Conditioner, Model IRD-909B-C1,
Serial No. 09DB33982, 230V;

1 G.E. Superline A/Conditioner, Model IRF-684-C2,
Serial No. 10HB36696, 230V;

~~1 G.E. Superline A/Conditioner, Model IRF-684-C2,
Serial No.~~

1 G. E. Filter Blower, Asset No. 0045

and deleted from Manatee County Inventory Control Records, as recommended by Martin J. Williams, Purchasing Agent/Inventory Control. Motion was seconded by Mr. Dierks and unanimously carried. (County no longer will have responsibility of maintenance.)

BONDS

Upon motion by Mr. McClure, seconded by Mr. Hutches, the Board unanimously approved

Well Drilling Contractors' Continuation Certificates

ADKINS BROTHERS DRILLING #SU-15612 Utica Mutual
(Howard C. & Shannon Adkins, d/b/a)

DONALD E. THOMAS #S53680 American Fire & Cas.

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Hutches, seconded by Mr. McClure, the Board unanimously approved Requisitions and Warrant Lists from April 28 to May 5, 1970, and authorized Warrant Lists to May 12, 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	10821 - 10948
Road & Bridge Fund	4940 - 4975
Fine & Forfeiture Fund	781 - 784
S E I S Operating	256 - 260
Countywide Drain	250 - 251
Hospital I & S	28
Court House I & S	15
Manatee County Utilities System:	
13.5 Revenue Account	1975
General Control Fund	3301 - 3303

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Upon motion by Mr. McClure, seconded by Mr. Hutches, the Board unanimously approved the following bills for payment:

Diagnostic Medical Lab. Service	\$ 175.00 & \$175.00
Manatee Memorial Hospital	2323.20)
	1331.20)
Sarasota Memorial Hospital	973.20)
	1612.50)
Parks & Recreation (various)	657.72)

CERTIFICATES OF CORRECTION (E & I)

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

<u>Tangible</u>	No. 146	Swann Optical Co.
	147	Tropical Inn

STATE TUBERCULOSIS HOSPITAL

Upon motion by Mr. McClure, seconded by Mr. Hutches, the Board unanimously approved applications of

LILLIE MAE TAYLOR	DON CARTER
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to enter the State Tuberculosis (W.J.T. Edwards) Hospital.

PROCLAMATION: BOYS CLUB DAY

Motion was made by Mr. Hutches that Tuesday, May 12, 1970 be proclaimed as BOYS' CLUB DAY in recognition of the dire need for improved facilities at the Palmetto Branch of Manatee County Boys' Club and that all citizens of Manatee County be urged to make their contributions to this worthwhile project. Motion was seconded by Mr. McClure and unanimously carried.

PROCLAMATION RECORDED N22-58

FEDERAL GRANT: AIR & WATER POLLUTION CONTROL REQUISITION FUNDS

Motion was made by Mr. Burton that application be made (and executed) to Health, Education and Welfare for \$10,000 first month requisition on federal grant for Air and Water Pollution Control. Motion was seconded by Mr. McClure and carried unanimously.

BUDGET AMENDMENT: POLLUTION CONTROL

Mr. McClure moved for the adoption of a Resolution amending the 1969-1970 Budget to include receipt of \$15,000 from Borden's, Inc., and expenditures for a particular purpose:

<u>General Revenue Fund</u>	<u>Receipts</u>	<u>Expenditures</u>
Increase Item 1423: Grants & Donations from other than gov't units	\$15,000.00	
Increase Item 689: Pollution Control		\$15,000.00

Motion was seconded by Mr. Dierks and unanimously carried.

RESOLUTION RECORDED N22-59

CONSTRUCTION TRUST FUNDS - PAYMENT REQUISITIONS

Mr. McClure moved for the adoption of Resolutions authorizing payment of

SUNCOAST REALTY COMPANY CONSTRUCTION TRUST FUND

Requisition No. 11D-2

Bradenton Herald

\$21.60

RESOLUTION RECORDED

N22-60

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 5D-96

James M. Doss

\$80.00

RESOLUTION RECORDED

N22-61

Motion was seconded by Mr. Hutches and unanimously carried.

VOTING MACHINES

A telegram was read from Shoup Voting Machine Corporation clarifying proposal of April 13, 1970, wherein they agreed to provide three accessory interlocks, one of which is presently on loan to the county, at a price of \$30,995.25 installed, which reflects a 15 per cent discount (to be installed in sufficient time for September 1970 primary elections).

BULKHEAD LINE

Mr. Hutches referred to a letter (April 30, 1970) from Tom Marshall, vice president of Manatee Chapter, Isaak Walton League of America, regarding the new Terra Ceia "Compromise" bulkhead line, trips to Tallahassee by Commission members to seek Cabinet approval of this line, and request for immediate scheduling of a local public hearing on this "compromise" bulkhead line. He explained that the "compromise" was by the property owners and not by the county; that the county, after duly advertised public hearing, had submitted a line to the Trustees of the Internal Improvement Fund, which had excluded a certain portion in the Williams Bayou area; that the only compromise that has been effected has been further compromise by the property owners to the I.I. Board with reference to giving additional land in the Terra Ceia River and Frog Creek area.

Inasmuch as James Apthorp, director of the I.I. Board, had requested Mr. Hutches and the County Engineer to attend the next meeting of that Board on May 12, 1970, motion was made by Mr. McClure that they be authorized to do so. Motion was seconded by Mr. Dierks and carried unanimously. (The Terra Ceia bulkhead line scheduled to be placed on Trustees' Agenda on that date.)

VOTING MACHINES

RESCIND MOTION TO PURCHASE

The County Attorney observed that the suit filed against the county concerning purchase of new voting machines was premature in that the action of the Board was contingent upon formal contract and contingent upon Board County purchasing Manatee County's machines; that in view of these facts he would recommend that the plaintiff, through his attorney, be requested to withdraw the suit until such time as the Board decides to enter into a specific definitive contract for the acquisition of these voting machines, at which time he will be furnished a copy of the contract and given a period of two weeks before execution of that contract by this Board so that he can file additional or new proceedings; that if he fails to agree with this suggestion, than he (county attorney) will file a motion to dismiss the matter and attempt made to obtain an early hearing date.

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The Board members concurred with the County Attorney's recommendations. Lengthy discussion followed.

Motion was made by Mr. Dierks that previous action of the Board authorizing purchase of Automatic Voting Machines be rescinded and investigation of this matter be continued. Motion was seconded by Mr. Burton. Motion was carried unanimously.

MEETING ADJOURNED

Upon motion, the meeting was adjourned.

Attest:

M. T. McInnis, Clerk

APPROVED: 16 June 1970

Bruce M. Corp Deputy Clerk Lawrence H. Johnson Chairman