

MAY 26, 1970

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, May 26, 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.

MINUTES APPROVED

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

SPECIAL MEETING OF APRIL 2, 1970
 REGULAR MEETING OF APRIL 7, 1970
 REGULAR MEETING OF APRIL 14, 1970

PROJECT NO. 507
 APPROVED; ASSESSMENT ROLL ADVERTISED

Chairman Fortson declared public hearing open for the purpose of hearing objections to special improvements proposed on

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

William Chaltas, president of W.C. & C. Investment Corp., owning property on 53rd Avenue & 22nd Street (rental property - two houses) objected to the cost that would be involved on assessments for his property.

Elmer C. Sons, 2306 53rd Avenue W., spoke in favor of the project, noting drainage problem that had existed for years, causing damage to the shell road, which would be alleviated under the road improvement program.

Public Hearing was declared closed.

Mr. Dierks moved for the adoption of a Resolution ordering the improvements described in Project No. 507 and authorizing preparation and advertisement of a Preliminary Special Assessment Roll for Public Hearing on June 9, 1970. Motion was seconded by Mr. Hutches and unanimously carried.

RESOLUTION RECORDED N22-76

Z O N I N G

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

R-407 R. E. JOHNSON, SR. REZONE TO T-2 DEFERRED

At the request of the petitioner, R-407 was deferred until June 9, 1970.

SE-393 ASA M. STEWART MOBILEHOME PERMIT APPROVED
 Request for mobilehome as dwelling in conjunction with agriculture on property located at 5208 45th St. E., Bradenton,

consisting of 12½ acres m/l.

The Planning Commission recommended approval for a period of two years and at the end of two years the petition may be extended by the Zoning Director for an additional two-year period providing the character of the area has undergone no substantial change.

Motion was made by Mr. Dierks that SE-393 be approved for a period of two years as recommended by the Planning Commission. Motion was seconded by Mr. Burton and unanimously carried.

SE-394 RICHARD E. BLANDING; MOBILEHOME PERMIT APPROVED

Request for mobilehome as dwelling in conjunction with agriculture on property located 4½ miles east of Lorraine Road on the south side of SR 64, consisting of 10 acres. The Planning Commission recommended approval for a period of two years and at the end of the two years the petition may be extended by the Zoning Director for an additional two year period providing the character of the area has undergone no substantial change.

Motion was made by Mr. Hutches that SE-394 for Richard E. Blanding be approved for a period of two years as recommended by the Planning Commission. Motion was seconded by Mr. Burton and carried unanimously.

SE-225 FROG CREEK CAMP GROUND MOBILEHOMES PERMITS APPROVED

Request for two mobilehomes for occupancy by manager and maintenance man.

The Planning Commission recommended approval.

Motion was made by Mr. McClure that SE-225 for Frog Creek Camp Ground be approved as recommended. Motion was seconded by Mr. Burton and carried unanimously.

I-75 RECREATION AREA

Regarding multiple use in connection with I-75, motion was made by Mr. Dierks that ~~Neno Spagna~~ be authorized to (1) pursue the possibility of the Department of Transportation developing an area into roadside rest stops or picnic/recreational facilities, on a participation basis, and (2) send a letter to that Department indicating Manatee County's interest in a parcel immediately south of the Manatee River where I-75 crosses the river, noting that they would be advised as plans and needs for that particular area are developed. Motion was seconded by Mr. Hutches and carried unanimously.

MIXON PROPERTY, E. A. - ZONING

Mr. Burton recommended that the Planning Commission take appropriate action to rezone property of E. A. Mixon, U.S. 301, Ellenton, to allow construction of apartments adjacent to his store, which would have been permitted under previous "A" zoning.

Mr. Spagna stated that prior to proceeding with a public hearing he would investigate the proper zoning for the desired use or determine if there is an alternate method under which permit can be approved.

MANATEE COUNTY COMPREHENSIVE HEALTH PLANNING COUNCIL, INC.

The County Attorney submitted written opinion (dated May 25, 1970)
Re: \$3,000 Appropriation to Comprehensive Health Planning Council, Inc.

"...You have requested this office furnish you with a formal

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opinion concerning the County's authority to appropriate the sum of \$3,000 to the Manatee Comprehensive Health Planning County, Inc., a non-profit corporation which was formed to carry out the purposes of public law 89-749 and 90-174. After careful consideration it is our opinion that this proposed expenditure of \$3,000 would be for a valid public purpose. Specific authority to make such an appropriation as is requested can be found in Special Act, Chapter 65-1886.

We recommend that if the Board decides to honor this request that it be included in next years budget and that prior to the time of the actual transfer of the money that this Board receive and review the annual budget of the Manatee County Comprehensive Health Planning Council, Inc. and that a formal contract be entered into between Manatee County and the Health Planning Group wherein the Health Planning Group in consideration for the \$3,000 agrees to provide health planning services to the County along lines as same are described in Resolution of the Board of County Commissioners dated the 4th day of November, 1969."

Board members expressed agreement in principle, noting that Dr. Robert King would be advised that the feeling of the Board presently was that favorable consideration would be given at the time of budget hearings.

ELLENTON WATER PROJECT

Motion was made by Mr. Burton that the appropriate county officers be authorized to execute application to the State Board of Health for approval on the Ellenton Water Project. Motion was seconded by Mr. Hutches and unanimously carried.

SANITARY SEWERAGE SYSTEM - ANNA MARIA ISLAND PAYMENT FEASIBILITY REPORT

Motion was made by Mr. Burton to approve payment of \$15,000 to Russell & Axon, Consulting Engineers, for the engineering feasibility report on the Sanitary Sewerage System, Anna Maria Island. Motion was seconded by Mr. Dierks and carried unanimously.

SUNCOAST REALTY CONSTRUCTION TRUST FUND PAYMENT REQUISITION

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

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| MANATEE COUNTY-SUNCOAST REALTY COMPANY CONSTRUCTION TRUST FUND | |
| <u>Requisition No. 11D-3</u> | |
| Russell & Axon | \$2,688.18 |

RESOLUTION RECORDED

N22-77

Motion was seconded by Mr. Hutches and unanimously carried.

BAYSHORE GARDENS SEWER SYSTEM: COMPLAINT

Upon receiving complaints on noise and odor from the Bayshore Gardens sewer treatment plant, the Board members stated this would be discussed with Tevis Huguely, Director of Manatee County Utilities System, and the Consulting Engineers.

BAYSHORE GARDENS - REPAIR GRAVITY LINES CONTRACT EXECUTED

Motion was made by Mr. McClure that the appropriate county officers

be authorized to execute contract with SOUTHERN LINE CLEANING, INC., on Repair Gravity Lines, Bayshore Gardens. Motion was seconded by Mr. Hutches and carried unanimously.

SEWERAGE TREATMENT FACILITIES -
PERMITS ON TEMPORARY BASIS

providing for
The County Attorney read a proposed resolution/permits for construction of privately owned sewerage treatment facilities being issued on a temporary basis so that such facilities might be tied in with the County Central System when it is placed in operation.

Mr. Hutches referred to recommendation of Chris Angelidis, Environmental Engineer, that the county locate package plants in the areas being developed and operated by the county until such time permanent facilities are available. This would eliminate the necessity of the county's purchasing private plants when the central system is ready to serve a particular area.

Mr. Dierks moved for the adoption of the Resolution requesting that the Florida State Board of Health issue such permits on a temporary basis with provision that such facilities must be discontinued in use within thirty (30) days from the date that the County's treatment facilities have been placed in operation, omitting the word "immediate". Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

N22-78

26TH STREET - PAYMENT FOR RELOCATION WATERLINE

Don Lovejoy, County Engineer, submitted and recommended payment of a bill from the J & J Pipeline Corporation, for relocating the water lines on 26th Street W. for Manatee County Utilities System. He explained that this work was being done in accordance with agreement with the State Department of Transportation (clearing right-of-way) on paving of 26th Street W.

Motion was made by Mr. Burton that the bill from J. & J Pipeline Corp., for \$4,672.27, be approved for payment. Motion was seconded by Mr. Dierks and carried.

STATE ROAD 45 (U.S.41) - ORLANDO AVENUE

Mr. Lovejoy read a letter from the State Department of Transportation advising that, based on data obtained in study recently completed, the intersection of Section 13010, State Road 45 (U.S. 41) at Orlando Avenue, meets the minimum wants of left-turn interval or arrow for vehicles travelling south on State Road 45 and turning east on Orlando Avenue; that he was authorized to activate the left turn interval as shown on plans dated August 27, 1968 and approved by the Tallahassee office on November 19, 1968 - Permit No. 68-379.

PALMA SOLA BOULEVARD BRIDGE - SIGNS

Mr. Lovejoy advised that the "No Swimming" and "No Diving" signs had been erected on the Palma Sola Boulevard bridge (May 18) and were immediately removed by individuals unknown; however, the signs had been replaced, and with a more permanent base.

TRAVEL AUTHORIZED - DODGE SCHOOL

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

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unanimously approved travel authorization for five members of the Highway Department to attend a comprehensive truck training program, conducted by Dodge Division, in St. Petersburg, May 28, 1970, as requested by the County Engineer.

DRAGLINE: BACKHOE & FRONT END LOADER
ADVERTISE FOR BIDS

Upon motion by Mr. Hutches, seconded by Mr. Burton, the Board authorized the County Engineer to advertise for bids to be received on a dragline, backhoe and front end loader, said bids to be opened June 16, 1970. Motion carried unanimously.

NORTHWEST COUNTY WATERSHED DISTRICT (PINEY POINT AREA)

Mr. McClure recommended that the Board pursue, and refer to the County Attorney with instructions to proceed with condemnation, acquisition of two parcels (Gulf Fish Farms and Crane property) for right-of-way for drainage in the northwest county watershed district (Piney Point area). No action was taken pending further communication with the property owners involved.

ENVIRONMENTAL CONTROL AUTHORITY
LEGISLATION OPPOSED

Randolph Snell and Robert Quinn, of the Manatee County Air and Water Pollution Control Board, were present to urge Board members to oppose Senate Bill No. 1464 authorizing the creation of an Environmental Control Authority, whose members would be designated by the Department of Air and Water Pollution Control of the State of Florida. This, they pointed out, if enacted into law, would take local control away from the individual counties, and state regulations would take precedence over county regulations. The proposed legislation was discussed at length, with all members voicing objections and opposition.

Motion was made by Mr. McClure that Mr. Snell and Mr. Quinn be authorized to proceed to Tallahassee to oppose this and other similar bills. Motion was seconded by Mr. Dierks. Motion was amended to include authorization of one or more members of the Board of County Commissioners to appear in opposition to such bills, also, if the Manatee County Pollution Control Board deems it necessary to do so. Motion as amended carried unanimously.

MANDATORY GARBAGE PICKUP

Board members discussed the pros and cons of an ordinance providing for mandatory garbage pickup. Mr. Dierks suggested incorporating provision for a \$25.00 reward to witnesses reporting violations leading to arrest and conviction of persons observed dumping garbage and trash on highways or other areas not specified as sanitary landfills.

The Chairman stated that if there were no objections this matter would be further discussed in work session. There were no objections.

CERTIFICATES OF CORRECTION (E & I)

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

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| <u>Real Estate</u> No. 150 | David L. & Margarett Mathis |
| <u>Tangible</u> No. 148 | Bradenton Enco Svc. |

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Hutches, seconded by Mr. Burton, the Board unanimously approved Requisitions and Warrant Lists from May 19 to May 26, 1970 and authorized Warrant Lists to June 2, 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 | 11088 - 11128 |
| Fine & Forfeiture Fund | 796 - 798 |
| Road & Bridge Fund | 5062 - 5090 |
| S E I S Operating | 266 |
| Hospital Construction | 161 |
| Manatee County Utilities System: | |
| 13.5 Revenue Account | 1992 - 1993 |
| General Control Fund | 3356 - 3357 |

BOND: HOUSE MOVING

Upon being advised by the Building Director that the owner had complied with all requirements as specified in House Moving Permit No. 1214A, motion was made by Mr. Hutches that bond of

PALMETTO TOMATO GROWERS (ELIZABETH THOMAS)
(Bond #N-4006027)

be released. Motion was seconded by Mr. Burton and carried.

BILLS FOR PAYMENT

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

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| Earl Cox (Court Order by Judge Robert Schultz appointing him special assistant public defender on Case #F364 and Case #F365) | \$400.00 (total) |
| Parks & Recreation (various) | 946.33) |
| | 684.09) |

(Approval release of check for \$250.00 to Sarasota
Weed & Feed Company for Manatee County Utilities
System, for experimental method of removing hyacinths
in Lake Manatee reservoir)

MANATEE MEMORIAL HOSPITAL
CHANGE ORDER NO. 18 APPROVED

Motion was made by Mr. Dierks that the Board approve

Change Order No. 18 to H. J. High Construction contract
Addition of \$2,181.00

on Additions to the Manatee Memorial Hospital, subject to approval of Bently Lang, Hospital Administrator, (and initials). Motion was seconded by Mr. McClure and carried. Unanimously.

REGISTRY OF COURT (RE: ALFRED RUSS)

The County Attorney advised that a Court Order requires an additional deposit of \$768.50 with the Registry of Court in connection with the condemnation suit, Manatee County vs. Alfred Russ.

Motion was made by Mr. Burton that this deposit be made with the

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Registry of Court as stipulated in the Court Order. Motion was seconded by Mr. McClure and carried unanimously.

SEWAGE TREATMENT FACILITIES - ISLAND & WEST COUNTY
HUD GRANT RESOLUTION CORRECTED

Motion was made by Mr. McClure that the Minutes of April 28, 1970 be amended to correct Resolution authorizing filing of application 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:

Page No. 1, sixth line, change "outfall line" to read "injection wells".

Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

N22-48

REFUND TAX CERTIFICATES

The Tax Assessor submitted applications for refunds on Tax Certificates issued on properties (1) placed on the tax roll in error, (2) double assessment. Motion was made by Mr. McClure that refunds be approved and authorized made to

| | <u>Cert. No.</u> | <u>Year</u> | <u>Amount</u> |
|------------------------------------|------------------|-------------|---------------|
| Charles M. O'Shea, Trustee | 304 | 1967 | \$ 49.20 |
| Harry Iselin | 240 | 1968 | 49.77 |
| Harry Iselin | 234 | 1969 | 49.49 |
| M. T. McInnis, Clerk (Advertising) | | | 40.00 |
| Florida Fidelity Corp. | 204 | 1968 | 3.96 |
| Charles M. O'Shea Trust | 262 | 1967 | 3.92 |
| H. C. Hood | 226 | 1966 | 8.17 |
| H. C. Hood | 322 | 1965 | 3.76 |
| Florida Fidelity Corp. | 208 | 1968 | 3.96 |
| Edward Lee | 270 | 1967 | 3.92 |
| H. C. Hood | 243 | 1966 | 3.85 |
| H. C. Hood | 326 | 1965 | 3.76 |
| M. T. McInnis, Clerk (Advertising) | | | 4.00 |
| Marjorie Lonsdale | 308 | 1965 | 12.24 |
| Charles M. O'Shea Trust | 212 | 1966 | 13.23 |
| C. L. Chaires | 244 | 1967 | 14.05 |
| Florida Fidelity Corp. | 184 | 1968 | 14.25 |
| Florida Fidelity Corp. | 195 | 1969 | 13.55 |
| M. T. McInnis, Clerk (Advertising) | | | 4.00 |

Motion was seconded by Mr. Burton and carried unanimously.

STATE ROAD NO. 683, NO. 684
MCUS USE PERMITS

Mr. McClure moved for the adoption of Resolutions authorizing execution of applications to the State Department of Transportation for Use Permits for Manatee County Utilities System to construct and maintain utility lines within the rights-of-way of

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| STATE ROAD NO. 683, Section 13120 (M.P.S. 1.674) | RESOLUTION RECORDED | N22-79 |
| STATE ROAD NO. 683, Section 13120 (M.P.S. 2.786) | RESOLUTION RECORDED | N22-80 |
| STATE ROAD NO. 684, Section 13040 (M.P.S. 5.730) | RESOLUTION RECORDED | N22-81 |

Motion was seconded by Mr. Burton and carried unanimously.

MANATEE COUNTY UTILITIES SYSTEM
\$450,000 REVENUE/DEPOSIT ACCOUNTS; DEPOSITORY

Mr. Dierks moved for the adoption of a Resolution, read by the County Attorney, designating the Manatee National Bank as a depository of Manatee County Utilities System for \$450,000 Revenue Account and the \$450,000 Meter Deposit Account, and providing for the name or names of the person or persons to sign the checks, when bearing or purporting to bear the facsimile signature of any one and/or two of the following:

Lawrence H. Fortson, Jr., Chairman
Tevis Huguely, Director (Manatee County Utilities System)
Virginia Pennington, Acting Finance Director, MCUS

Motion was seconded by Mr. Hutches and carried unanimously.

✓ RESOLUTION RECORDED N22-82

COUNTY-STATE HEALTH PROGRAMS

Dr. George M. Dame, Director ; of Manatee County Health Department, by letter dated May 19, 1970, requested that the Board support efforts to preserve the existing system of joint County-State partnership in financing County Health Programs, opposing the proposal to exclude County Commission Boards from the support of County Health Departments.

There was no objection to recommendation that contact be made with Dr. Dame to determine what steps can be taken by this Board to defeat such a proposal.

LAWRENCE SERVICE

For the record, the Chairman stated that the Board cannot justify any increase of rates by Lawrence Ambulance Service until a complete audit of accounts receivable and cash flow of that firm is received.

MEETING ADJOURNED

Upon motion, the meeting was adjourned.

Attest:
M. T. McInnis, Clerk

APPROVED: 21 July 1970


Deputy Clerk


Chairman