

JUNE 23, 1970

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, June 23, 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.

ELECTRONIC CALCULATOR (ENVIRONMENTAL ENGINEERING)
 BID OPENED

Only one bid was received for an Electronic Calculator for the Environmental Engineering Division, Manatee County Health Department. The bid was opened and read as follows:

WANG LABORATORIES, INC.	
Central Processing Unit	3,990.00
Keyboard Unit	500.00
Card Programmer	600.00
	\$5,090.00

The Bid was referred to Chris Angelidis for study and recommendation.

AIRPORT WATER PROJECT

Motion was made by Mr. McClure that the appropriate officers of the county be authorized to execute application to the State Board of Health for approval of extension of the water line to the Sarasota-Bradenton Airport. Motion was seconded by Mr. Dierks and carried unanimously.

STATE ROAD 684 (RELOCATION WATER LINE)
 PAYMENT INVOICES BY DOT

Mr. McClure moved for the adoption of a Resolution approving for payment by the Department of Transportation from Manatee County Secondary Road Funds: (Relocation water line on Cortez Road, SR 684)

Russell & Axon	\$3,628.31)
	1,769.33)

Motion was seconded by Mr. Hutches and carried unanimously.

✓ RESOLUTION RECORDED N22-95

CONSTRUCTION TRUST FUNDS
 PAYMENT REQUISITIONS

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

WATER SYSTEM CONSTRUCTION TRUST FUND	
<u>Requisition No. 5B-166</u>	
Manatee County Utilities System	
\$13,500,000 Revenue Account	\$18,152.40

RESOLUTION RECORDED N22-96

1970 WATER REVENUE BONDS CONSTRUCTION TRUST FUND

Obligations

Manatee County Utilities System, General Control Fund	\$6,584.41
Manatee County Utilities System, \$3.485 Revenue Account	8,414.72

✓ RESOLUTION RECORDED N22-97

Obligations

Manatee County Utilities System, General Control Fund	\$1,086.77
--	------------

✓ RESOLUTION RECORDED N22-98

Obligations

A to Z Rental Center	\$ 168.50
B & H Sales, Inc.	1,094.70

✓ RESOLUTION RECORDED N22-99

Obligations

Security-Columbian Banknote Co.	\$ 327.44
Manatee County Health Department	4.00

✓ RESOLUTION RECORDED N22-100

Obligations

Russell & Axon	\$2,894.27
----------------	------------

✓ RESOLUTION RECORDED N22-101

Motion was seconded by Mr. Dierks and unanimously carried.

MANATEE COUNTY UTILITIES SYSTEM
WATER METERS - BIDS OPENED

Sealed Bids were received, opened and read on MCUS water meter requirements for the twelve months period beginning July 1, 1970 to June 30, 1971. Bids were read from the following:

BADGER METER MANUFACTURING CO.	Brand: Badger
ENGINEERED CONTROLS, INC.	Kent
HERSEY-SPARLING METER CO.	Hersey-Sparling
GAMON-CALMET INDUSTRIES, INC.	Gamon/Calmet
ROBERT W. SLOCUM COMPANY, INC.	Delco
B & H SALES, INC.	Hayes Spanner
NEPTUNE METER COMPANY	Neptune
ROCKWELL MANUFACTURING CO.	Rockwell
CARLON METER SALES COMPANY	Carlton
DAVIS METER & SUPPLY COMPANY	Singer; Hersey-Sparling

MANATEE COUNTY UTILITIES SYSTEM
PIPE - BIDS OPENED: PALMA SOLA RECREATION PARK

Sealed Bids were received, opened and read for PIPE and FITTING REQUIREMENTS for the line extension to the Palma Sola Recreation Park as follows:

AMERICAN CAST IRON PIPE CO.	B & H SALES, INC.
BANKS SUPPLY COMPANY	CLOW CORPORATION
BANKS SUPPLY COMPANY - Alternate	McWANE CAST IRON PIPE CO.
COASTAL MECHANICAL CONTRACTORS, INC.	
DAVIS METER & SUPPLY CO.	U.S. PIPE & FOUNDRY CO.
PALMETTO PUMP & IRRIGATION CO.	SOUTHERN METER & SUPPLY CO.

JUNE 23, 1970

(Cont'd)

Sealed Bids were received, opened and read for construction of the water line to serve the Palma Sola Recreation Park from the following:

COASTAL MECHANICAL CONTRACTORS, INC.	\$ 2,124.00
SCOTT COLE PLUMBING, INC.	12,300.00
SCOTT COLE PLUMBING, INC. (Revised Bid)	5,300.00
J & J PIPELINE CORP.	3,705.00
LaGROW IRRIGATION SYSTEMS, INC.	3,125.00
STEVENS & LAYTON, INC.	2,135.00
STEVENS & LAYTON, INC. - Alternate Bid	
Supplying pipe	7,992.55
TUCKER BROTHERS CONSTRUCTION CO.	2,820.00

The Bids were referred to Ray Parker, Acting Director of Manatee County Utilities System, for tabulation and recommendation.

MANATEE COUNTY UTILITIES SYSTEM
ADVERTISE FOR PIPE

Motion was made by Mr. McClure that the Board ratify advertisement for Invitation for bids to be received June 30, 1970 (opened) on furnishing pipe for Manatee County Utilities System (annual bids). Motion was seconded by Mr. Dierks and carried unanimously.

Z O N I N G

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

SE-395 MRS. CLIFFORD G. WHITAKER M/HOME PERMIT APPROVED

Request for mobilehome as dwelling in conjunction with agriculture (formerly SE-217, Gwin Anderson) on property located at 5312 Ellenton-Gillette Road.

The Planning Commission recommended approval for a two-year period subject to a two-year extension by the Zoning Director provided the character of the area remains substantially the same.

Motion was made by Mr. McClure that SE-395 be approved for a two-year period, for Mrs. Clifford G. Whitaker, subject to the stipulations outlined by the Planning Commission. Motion was seconded by Mr. Hutches and carried unanimously.

SE-396 MR. & MRS. O. W. BRYANT M/HOME PERMIT APPROVED

Request for mobilehome as dwelling in conjunction with agriculture on property located on Pope Road, south of SR 64, consisting of 4 acres.

The Planning Commission recommended approval for a two-year period subject to a two year extension by the Zoning Director provided the character of the area remains substantially the same.

Motion was made by Mr. Hutches that SE-396 for Mr. & Mrs. O. W. Bryant be approved for a period of two years under conditions outlined by the Planning Commission. Motion was seconded by Mr. McClure and unanimously carried.

R-408 COUNTY COMMISSION INITIATED DEFERRED

Consideration of rezoning of certain lands along SR 64 between the Bradenton City Limits and the proposed I-75 route and certain areas where 26th Ave. E. (if extended eastward beyond the Braden River) and Caruso Road (if

extended northward from present north terminus to SR 64 would intersect.

The Planning Commission recommended the rezoning of SR 64 between the Braden River and proposed I-75 as indicated by the Planning Director (and that the Planning Director be instructed to prepare all necessary legal descriptions for presentation.)

Mr. Spagna explained that companion to R-408

Z-58A

PLANNING COMMISSION INITIATED - To amend the Arterial Highway Plan in the eastern portion of Manatee County in conjunction with the proposed I-75 route; Recommended by the Planning Commission for approval.

He said that after the public hearing the plan was restudied and reviewed and certain changes were considered feasible. He then outlined the proposed rezoning and amendment to the Arterial Highway Plan and answered questions from Board members and persons attending the meeting.

Among those present and speaking in opposition were

Lee Esachenko, Magnolia Manor - opposed to extension of Caruso Road and commercial zoning;
Don Poston, Magnolia Manor - opposed to extension of Caruso Road and rezoning.

Upon recommendation that both sections of R-408 be postponed until such time as the Board members have opportunity to thoroughly study the proposals outlined by the Planning Director, the Chairman stated that if there no objections, the Board would defer action pending further study and discussion. There were no objections.

R-402 THOMAS C. BENNETT, JR. REZONE TO T-1 DENIED

Request by petitioner for rezoning from District A to District T-1 for a Rental Mobilehome Park on property located in the general north and south area where the new Arcadia Road (SR 64) intersects the old Arcadia Road, approx. 1 mile east of Braden River, consisting of approx. 110 acres.

The Planning Commission recommended approval on basis that the conditions stipulated in the initial recommendation of R-363 (July 23, 1969) are still valid and applicable. Committee reports on R-402 and R-363 were read.

Thomas C. Bennett, Jr., was present with his attorney, Gilbert Smith, and engineer, Dan Zoller.

Ernest R. Bartley, urban planning consultant, made a lengthy presentation in connection with his investigation of the subject property and surrounding and his conclusion, as a matter of professional judgment, that the request made by Mr. Bennett is justified and that the said property meets the requirements to qualify for the rezoning to T-1.

Mr. Hutches stated he disagrees with the location of a T-1 District in the middle of an R-3 area, and in deference to the wishes of the people residing in the area, he recommended and moved that R-402 be denied. Motion was seconded by Mr. Burton and carried unanimously.

Z-58 AMENDMENT TO SECTION X, "SCHEDULE OF PERMITS AND FEES"
Planning Commission initiated recommendation to adopt proposed

JUNE 23, 1970

(Cont'd)

amendment to Section X, "Schedule of Permits and Fees" of the Zoning Ordinance was recommended for approval and adoption. Committee report was read.

The Chairman stated that if there were no objections Z-58 would be postponed for further study. There were no objections.

SE-399 HERMAN GLISSON M/HOME PERMIT APPROVED

Request for mobilehome as dwelling in conjunction with agriculture on property located 4000 ft. north of SR 64 on the east side of Rye Bridge Road.

The Planning Commission recommended approval for a period of two years, subject to a two year extension by the Zoning Director provided the character of the area remains substantially the same.

Motion was made by Mr. Hutches that SE-399 for Herman Glisson be approved for a period of two years under terms outlined by the Planning Commission. Motion was seconded by Mr. Burton and carried unanimously.

N-77 FLORIDA SIGN COMPANY APPROVED

Request for the expansion of a C-2 use in a C-1 District by an addition to an existing building on property located at 1103-29th Ave. W.

The Planning Commission recommended approval.

Motion was made by Mr. Dierks that N-77 for Florida Sign Company be approved as recommended. Motion was seconded by Mr. Hutches and carried unanimously.

N-78 WILLARD & JUNE BLACK APPROVED

Request for replacement of existing and non-conforming mobilehome with a new mobilehome on property located north or Linger Lodge on Linger Lodge Road.

The Planning Commission recommended approval for a period of two years subject to a two-year extension by the Zoning Director provided the character of the area remains substantially the same.

Motion was made by Mr. Dierks that N-78 for Willard and June Black be approved for a period of two years under stipulations outlined by the Planning Commission. Motion was seconded by Mr. Burton and carried unanimously.

SE-273 WINTERSET TRAVEL TRAILER PARK FINAL PLAN APPROVED

The Planning Commission recommended approval of the final plan, subject to receipt of report from the Engineering Department.

Mr. Spagna advised that all conditions (minor variations in preliminary plans) have been met.

Motion was made by Mr. McClure that SE-273, final plan for WINTERSET TRAVEL TRAILER PARK, be approved. Motion was seconded by Mr. Hutches and unanimously carried.

VOTEY, CHARLES - PALM AVENUE, ELLENTON

Mr. Charles Votey came before the Board regarding decision that the County Attorney instruct him to remove a fence erected on Palm Avenue, Ellenton; that if he failed to remove the fence the county would have it removed. He claimed that his warranty deed called for property

boundaries to the center of Palm Avenue; that he had given notice as to the boundaries and that he intended to develop it; that in four years of ownership there had been no maintenance by the county.

The Board disagreed with his contention that he owned to the center of the road and had a right to fence his property, which included that portion of Palm Avenue. The County Attorney outlined the two courses of action open to Mr. Votey (1) Petition to vacate the street,, and failing that (2) Bring an inverse condemnation suit. He recommended that, inasmuch as Mr. Votey's attorney was out of town, (vacation) the ten days (allowed for removal of fence) be extended beyond the time he returns from vacation. The Board concurred with recommendation.

DRAGLINE - BID ACCEPTED

Don Lovejoy, County Engineer, recommended acceptance of low bid, submitted by M. D. Moody & Sons, Inc., on a new dragline .

Motion was made by Mr. Hutches to accept bid of

M. D. MOODY & SONS, INC.

One (1) American Model 4210 Dragline \$44,750.00 net.

Motion was seconded by Mr. Burton. During discussion Mr. Dierks objected to purchase of a new dragline when present four machines not in operation because there were no operators - requested that the Board delay action until there are an adequate number of operators.

Voting "Aye", Mr. Hutches, Mr. Burton and Chairman Fortson. Voting "No", Mr. Dierks and Mr. McClure. Motion carried.

STATE ROAD 64 - MANATEE AVENUE CAUSEWAY

Mr. Lovejoy reported that he had conferred with the local Department of Transportation engineer concerning the problems (garbage litter) on the Manatee Avenue causeway (State Road 64); that the D.O.T. was unable to go into the area periodically and empty trash barrels and police the area, but they were paying Cedar Hammock Disposal Corp. to make special pickups. Prior to being annexed by the City of Bradenton the Parks and Recreation Department had policed the area and kept it reasonably clear of trash, etc., but the City of Bradenton does not have garbage service on the causeway at the present time.

The Chairman agreed to discuss this matter with Mayor Arbuckle, City of Bradenton.

45TH STREET EAST

C. E. Baker came before the Board to request improvements on 45th Street East, one mile from Mixon Road (extension of Elwood Park Road to State Road 70).

CARBON MONOXIDE ANALYZER - ENVIRONMENTAL ENGINEERING ADVERTISE FOR BIDS

Motion was made by Mr. Dierks that Environmental Engineering Division, Manatee County Health Department, be authorized to advertise for bids to be received on a Carbon Monoxide Analyzer, said bids to be opened July 7, 1970. Motion was seconded by Mr. Hutches and carried unanimously.

BONDS

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

JUNE 23, 1970

(Cont'd)

unanimously approved

Sheriff's Department

Additions to U.S. Fire Insurance Company Bond #70-50-11

✓ BARRY L. SMITH)	
STEPHEN H. BELL)	
KENNETH M. WATTS)	Possemen
MELVIN JOSEPH CADMUS)	
ROBERT HARVEY JOHNSON)	

CHARLES A. NEIGEL)	
IRVING E. HALL)	Deputy Sheriffs
RUDOLPH E. ALLUMS)	

(Note: John Fayette Tillis, Deputy Sheriff, left between bond renewal and effective date of bond)

Building Contractor's Bond

Release: JAMES T. CRAVEN #S-59706 American Fire & Cas.

Certificate of Insurance

MANATEE CABLEVISION, INC. Associated Indemnity Corp.

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Hutches, seconded by Mr. Dierks, the Board un-
animously approved Requisitions, with the exception of No. 12336
and No. 12326, and Warrant Lists from June 16 to June 23, 1970, and
authorized Warrant Lists to June 30, 1970, said Warrant Lists to in-
clude any payrolls during that perior upon condition that all employees
have performed their services in accordance with time and payroll
practices of the county departments.

General Revenue Fund	11361 - 11393
Road & Bridge Fund	5215 - 5230
Fine & Forfeiture Fund	818 - 820
SEIS Operating	277 - 278
Hospital Construction	162 - 163
Courthouse I & S	16
Manatee County Utilities System:	
13.5 Revenue Account	2004 - 2006
3.485 Revenue Account	3806 - 3809
1.65 Revenue Account	443 -
667,500 Revenue Account	232 - 233
General Control Fund	3418 - 3420

MCUS WATER METER BID RETURNED

Motion was made by Mr. McClure that bid from INDUSTRIAL SUPPLY COMPANY
on water meters for the Manatee County Utilities System, received too
late to be considered in the bid opening, be returned unopened. (Bid
postmarked June 22, 1970 and not delivered by 9:00 A.M., the time
specified in advertising.) Motion was seconded by Mr. Dierks and
carried.

BILLS FOR PAYMENT

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

Parks & Recreation Department (various) \$233.31

BUDGET AMENDMENT: JUVENILE DETENTION HOME

Request from Judge Claflin Garst for budget amendment for the

Juvenile Detention Home was received and action deferred until a later date.

LAKE MANATEE RECREATION SITE
FUNDS ACCEPTED FROM STATE

Motion was made by Mr. Dierks that the Board accept a check from the State of Florida, in the amount of \$181,536.75, in payment for the Lake Manatee Recreation site. Motion was seconded by Mr. McClure and carried unanimously.

LOT CLEARING : WASHINGTON GARDENS
LOT CLEARING LIEN RELEASED

The County Attorney explained that a compromise had been reached in connection with liens against Washington Gardens, Inc. (LC-56 & LC-63) and the county would accept the amount paid for the mowing and release the lien(s).

Motion was made by Mr. Hutches that the sum of \$35.00 be accepted from Washington Gardens, Inc., and that release of lien be authorized. Motion was seconded by Mr. McClure and carried unanimously.

PLUMBING CODE - AMENDMENT
PUBLIC HEARING SCHEDULED

Upon motion by Mr. Dierks, seconded by Mr. Hutches, the Board unanimously ratified advertising Notice of Public Hearing on amendment to the Manatee County Plumbing Code, said hearing to be held July 21, 1970 at 9:00 A. M.

AUTOMATIC COPIER
LEASE-PURCHASE AGREEMENT (LANIER BUSINESS MACHINES/MINNESOTA MINING MFG.)

Motion was made by Mr. McClure that the appropriate county officers be authorized to execute Lease-Purchase agreement between Manatee County and Lanier Business Machines (Minnesota Mining & Manufacturing) for one (1) 3M Automatic Copier Machine for the County Commissioners' office, Model 209/155, with storage table and collator, \$62.40 per month. Motion was seconded by Mr. Dierks and carried unanimously.

Motion was made by Mr. McClure that first and last months' payments on the lease-purchase agreement be authorized in the total amount of \$124.80. Motion was seconded by Mr. Dierks and carried.

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

Mr. Hutches 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 right-of-way of

- | | |
|--|-------------------------------|
| 1) STATE ROAD NO. 683, Section No. 13120 | |
| | ✓ RESOLUTION RECORDED N22-102 |
| 2) STATE ROAD NO. 684, Section No. 13040 | |
| | ✓ RESOLUTION RECORDED N22-103 |

Motion was seconded by Mr. Burton and carried unanimously.

AGRICULTURAL ZONING BOARD

The County Attorney outlined a procedure to be followed by the

JUNE 23, 1970

(Cont'd)

Board of County Commissioners, sitting as a County Agricultural Zoning Board:

- (1) Applications to be granted;
- (2) Applications recommended for denial;
- (3) Applications in question to be reviewed by a committee for purpose of determining classification.
- (4) Notice to property owners of public hearing ten days prior to said public hearing.

The Chairman appointed Mr. McClure and Mr. Dierks as the committee to review the applications on which classifications has to be determined.

The Public Hearing for the Agricultural Zoning Board was scheduled for Wednesday, July 15, 1970 at 9:00 A. M.

NAT'L ASSOCIATION OF COUNTY OFFICIALS

Motion was made by Mr. McClure that members of the Board and Department Heads be authorized to attend the National Association of County Officials convention in Atlanta, Georgia, July 26-29, 1970. Motion was seconded by Mr. Dierks and carried unanimously.

INSURANCE: TORT LIABILITY CANCELLED

As a result of the repeal of the Waiver of Immunity for Tort Liability as it applies to County Commissioners, Martin J. Williams, Purchasing Agent, recommended that the policy covering this insurance be cancelled. (Written recommendation June 20, 1970)

Motion was made by Mr. McClure that the recommendations be accepted and that AETna Insurance Company policy #CG276553 be cancelled as of July 1, 1970. Motion was seconded by Mr. Hutches and carried unanimously.

SURPLUS TIME RECORDER

Upon recommendation by Mr. Williams that request of the Manatee County Sheriff's Department be granted for transfer of a Time Recorder, which had been purchased by the County Judge and no longer used by his office, motion was made by Mr. McClure that the following transfer be approved and the Purchasing Agent authorized to drop this item from Inventory Control Records:

One (1) Lathem Time Recorder, Asset No. 3399
TO: Manatee County Sheriff's Department

Motion was seconded by Mr. Dierks and carried unanimously.

MEETING ADJOURNED

Upon motion, the meeting was declared adjourned.

Attest:
M. T. McInnis, Clerk

APPROVED: 21 July 1970


Deputy Clerk


Chairman