

AUGUST 11, 1970

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, August 11, 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 Robert Boylston

The meeting was called to order by Chairman Fortson.

Z O N I N G

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

R-411 ERNEST & MARY BOHM REZONE TO T-1 ADOPTED
 (Thomas M. Gallen and V. William Kaklis, Agents)-
 Request for rezoning from District A to District T-1
 for Rental Mobilehome Park on property located at 7516
 U.S. 301, Ellenton.
 The Planning Commission recommended approval. (Committee
 report read.)

Motion was made by Mr. Burton that R-411 be approved and Rezone to District T-1 adopted for a two year period with the understanding that if plans are not completed within that time that the zoning will revert to "A" District. Motion was seconded by Mr. Dierks.

The County Attorney pointed out that the law does not give the authority to grant rezoning for a specific time; however, the Board may request or initiate petition to rezone the property at the end of the period.

Motion was unanimously carried.

RESOLUTION RECORDED Zoning
 R-411

R-413 IDA LOUISE EASTBURN REZONE TO R-3 ADOPTED
 (Thomas M. Gallen, Agent) - Request for rezoning from
 District R-1 to District R-3 for multiple housing on
 property located at 1912 15th St. E., Bradenton.
 The Planning Commission recommended approval.

Motion was made by Mr. Dierks that R-413 be approved and rezone to R-3 adopted. Motion was seconded by Mr. Hutches and unanimously carried.

RESOLUTION RECORDED Zoning
 R-413

SE-408 S. J. LYNCH M/HOME PERMIT APPROVED
 Request for mobilehome in conjunction with operation of
 nursery on property located at 8715 17th Ave. N.W. (Formerly
 SE-306).

The Planning Commission recommended approval for a period of two years with the privilege of renewal by the Zoning Director for an additional two years provided the character of the area has undergone no substantial change.

Motion was made by Mr. Hutches that SE-408 for S. J. Lynch be approved for a period of two years in accordance with recommendation of the Planning Commission. Motion was seconded by Mr. Burton and carried unanimously.

SE-410 CARL M. & LOLA K. HENSEN: PIT EXCAVATION APPROVED

Request for a proposed pit excavation on 20 acres located 650 ft. east of ACL Railroad and north and south of a vacated street known as 61st Ave. E.

The Planning Commission recommended approval, subject to compliance with all necessary requirements and conduct of operation.

Upon question, Dan Zoller, engineer for the owners, advised that the request had been approved by the various county agencies and that bond of \$300.00 per acre will be submitted at the time application is made for the permit (five acres at a time).

Motion was made by Mr. Dierks that SE-410 for Carl M. & Lola K. Hensen be approved subject to compliance with the mining ordinance and proper bond. Motion was seconded by Mr. Burton and carried unanimously.

R-415 SKYWAY VILLAGE MOBILEHOME PARK, INC. - DEFERRED

(Richard Turner, Agent) - Request for rezoning from District C-1 to District T-1 for a Rental Mobilehome Park on property located at 5115 U.S. Highway 41 North, Palmetto.

Recommended by the Planning Commission for approval.

Upon recommendation of Commissioner Burton, the Chairman stated that if there were no objections R-415 would be deferred for one week. There were no objections.

Motion to grant waiver in connection with development of Part I of Skyway Village Mobilehome Park, Inc., (preliminary plans), recommended by Resolution of the Planning Commission, was withdrawn pending action by the governing body on R-415.

COURT HOUSE MALL

Gay Varano requested permission to hold an informative meeting on the courthouse mall, Sunday, August 16, 1970, from 12:00 noon until 4:00 P.M. She said the subject would be pertaining to alleged mistreatment in the jails and unauthorized use of tax monies.

Board members suggested that such meetings be held at recreation areas and not on the court house lawn where the lawn and plantings may be damaged or defaced; that in the event this was allowed, then somebody should be responsible for any damage that might occur and bond posted. Miss Varano was referred to the director of Parks and Recreation with recommendation that a more suitable location be obtained that would accommodate large groups and public facilities available.

SARASOTA-BRADENTON AIRPORT

Dick Wolf was present to answer questions in connection with request of the Sarasota-Manatee Airport Authority for \$80,000 from each county to be used for construction of an auto parking lot and matching funds from the Federal Aviation Administration for purchase of homes located at each end of the northwest/southeast runway at the Sarasota-Bradenton Airport.

Individuals appearing to oppose expenditure of funds on the present Airport for capital improvements, to protest the landing of jets under present plan, to urge moving the Airport to another location... were

L. J. Horan

William Parker

Mr. Church

Mr. May

Mr. Willowsee

George Robinson

G. E. Rautenberg

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(Cont'd)

RECESS

After short recess the Board reconvened with all members present.

LOT CLEARING LC-155; LC-164
DEMAND FOR CORRECTIVE ACTION

The Chairman declared Public Hearing opened on Lot Clearing Petition:

LC-155 JAMES H. TENCH
823 32nd Street Court East
Bradenton, Florida

alleging that certain lands owned by

TROPICAL COLONY ESTATES, INC.
Lots 1, 2; Lots 4, 5, less r/w to Fla. Power &
Light Co., Sec. 29-34-18 & 32-34-18, Block 5,
Tropical Shores

are not cleared as required by Section 2 of Chapter 69-1284,
Laws of Florida, Special Acts of 1969.

James Tench was present and submitted pictures showing the lots to
be overgrown in the well developed subdivision.

There was no representative for the owner of the property in question,
and Philip Maring, Zoning Administrator, advised that allegations by
the petitioner were correct.

The Public Hearing was declared closed.

Mr. Hutches moved for the adoption of a Resolution making demand upon
the property owner, TROPICAL COLONY ESTATES, INC., to take corrective
action with regard to said land within 15 days from the date of this
Resolution. Motion was seconded by Mr. Burton and unanimously carried.

RESOLUTION RECORDED 022-21

The Chairman declared Public Hearing opened on Lot Clearing Petition

LC-164 HOWARD BALLARD
5604 28th Street W.
Bradenton, Florida

alleging that certain lands owned by

ELWOOD LOVESTEAD
Lot 37, Block C, Sunset Acres 15-35-17

are not cleared as required by Section 2 of Chapter 69-1284,
Laws of Florida, Special Acts of 1969.

Howard Ballard was present to offer testimony in connection with
his petition.

Philip Maring advised that this was a legitimate complaint and meets
the requirements of the law.

The Public Hearing was declared closed.

Mr. Hutches moved for the adoption of a Resolution making demand upon
the property owner, ELWOOD LOVESTEAD, to take corrective action with
regard to said land within 15 days from the date of this Resolution.
Motion was seconded by Mr. Burton and carried unanimously.

RESOLUTION RECORDED 022-22

PROJECT NO. 576

In order to correct a technical defect in the notice of public hearing for objections on Project No. 576, held August 4, 1970, the affected property owners were notified that it would be necessary to readvertise and hold an additional public hearing on Tuesday, August 18, 1970; however, for those who were in attendance on August 4, the statements and comments made by them at that time will be taken into consideration and they are not required to appear again.

WEED KILLER - BID ACCEPTED

Motion was made by Mr. Hutches that the Board accept the recommendation of the County Engineer and that bid on weed killer, Pramitol 5-P, be awarded to Tower Chemical Company \$32.00 cwt. Motion was seconded by Mr. McClure and unanimously carried.

DRAGLINE REPAIRS
ADVERTISE FOR BIDS

Motion was made by Mr. McClure that the County Engineer be authorized to advertise for bids on undercarriage repair on the LS98 Dragline to be opened August 25, 1970. Motion was seconded by Mr. Burton and unanimously carried. (During discussion, it was agreed that special legislation would be requested initiated to allow the county to forego the necessity of obtaining sealed bids on emergency repairs estimated to cost over \$1,000 - particularly in circumstances where the delay in such repairs presented problems in road and bridge operations.)

U.S. HIGHWAY & 9TH STREET WEST
RE: FINANCE SIGNAL LIGHT

Mr. Dierks moved for the adoption of a Resolution, read by the County Attorney, requesting the Department of Transportation to make investigation of the traffic conditions existing at the intersection of U.S. Highway 41 and 9th Street West (Cortez Road & 9th Street, "dogleg"); county to underwrite forty percent of the cost of basic signal equipment (install and maintain), and State DOT to underwrite sixty percent of cost. Motion was seconded by Mr. McClure and carried unanimously.

RESOLUTION RECORDED 022-23

SPEED LIMITS: 26TH AVENUE EAST; TARPON LANE

The recommendation by Don Lovejoy, County Engineer, that speed limits be established on

<u>26th Avenue East</u> from 1st Street E. to 30th Street E.	35 M.P.H.
and from 30th Street E. to 45th Street E.	45 M.P.H.
<u>Tarpon Lane (Road)</u> (44th Ave. W.) Gulf & Bay Estates - from SR 43 to deadend	30 M.P.H.

was accepted and referred to the County Attorney to draft the appropriate resolution for consideration at the next regular meeting.

COUNTY DREDGE

Due to the cost that would be involved in making precise survey of the area proposed to be dredged in Frog Creek and McMullen Creek,

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which was required by the Fish and Wildlife representatives, and due to the fact that there was no guarantee of issuance of permit after such survey, the County Engineer recommended that the Board dispose of the county dredge since it cannot be utilized because of difficulty in obtaining permits. This matter was deferred for discussion at work session Thursday, August 13, 1970.

MANATEE PALMS SUBDIVISION, PHASE 1, UNIT 1
ACCEPTED FOR MAINTENANCE

By letter dated April 3, 1968, the County Highway Department had certified that all work in Manatee Palms Subdivision, Phase 1, Unit 1, had been satisfactorily completed with the exception of the placing of street signs as covered in Subdivision Regulations, and that this section would be accepted after compliance with said Regulations. The County Engineer stated that follow-up recommendation had been inadvertently overlooked after the regulations and requirements had been met, and in order to rectify this omission, he was recommending that the Board officially accept this subdivision for county maintenance as the bond had been released had been released on the final phase of development.

Motion was made by Mr. McClure that the improvements in Manatee Palms Subdivision, Phase 1, Unit 1, be accepted for county maintenance as recommended by the County Engineer. Motion was seconded by Mr. Hutches and unanimously carried.

MANATEE MEMORIAL HOSPITAL (PUMPING STATION) (ELLENTON WATER PROJECT)

Motion was made by Mr. McClure that the chairman be authorized to execute certificates by the Engineers and the Attorney as to ownership of the land on which a pumping station is to be located, which is Manatee Memorial Hospital property. The County Attorney explained that this was a requirement by the Housing and Urban Development. * Motion was seconded by Mr. Burton and unanimously carried.

BUILDING DEPARTMENT
POLICY ON REFUNDS

Mr. Dierks recommended and moved that the policy on requests for refunds by the Building Department be (1) No refunds on individual permits where fees are less than \$10.00; (2) Twenty-five percent (25%) service charge be made on any refunds made on permits where fees are more than \$10.00. Motion was seconded by Mr. Hutches and unanimously carried.

BUILDING DEPARTMENT - MOBILE RADIOS
ANTENNA ON COURT HOUSE ROOF

Motion was made by Mr. McClure that the Chairman of the Board be authorized to execute application to the Federal Communications Commission for permit to attach the antenna for the Building Department mobile radios to the top of the pole on the court house. Motion was seconded by Mr. Dierks and carried unanimously.

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Hutches, seconded by Mr. Dierks, the Board unanimously approved Requisitions from August 4 to August 11, 1970, except No. 12284; approved Warrant Lists from August 4 to August 11, 1970 and authorized Warrant Lists to August 18, 1970, said Warrant Lists to include any payrolls during that period upon condition that

*in connection with the Ellenton Water Project.

all employees have performed their services in accordance with time and payroll practices of the county departments.

General Revenue Fund	11841 - 11917
Road & Bridge Fund	5478 - 5562
Fine & Forfeiture Fund	844 - 855
SEIS Operating	297 - 300
Countywide Drainage	283
Hospital Construction	164 - 165
Manatee County Utilities System:	
13.5 Revenue Account	2042 - 2047
3.485 Revenue Account	3831 - 3834
1.65 Revenue Account	451
450,000 Revenue Account	8
General Control Fund	3569 - 3571

STATE TUBERCULOSIS HOSPITAL

Upon motion by Mr. Hutches, seconded by Mr. McClure, the Board un-animously approved application of GERALDINE MARIE JONES to enter the W. T. Edwards (State) Tuberculosis Hospital.

BILLS FOR PAYMENT

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

Manatee Memorial Hospital	\$ 5447.91
Edwards Funeral Home	200.00
Green's Funeral Home	200.00
H. J. High Construction Company	2631.00
Watson & Company	2441.45)
	1177.05)
Parks & Recreation (various)	402.21

CEMETERY OPERATION RULES & REGULATIONS (COUNTY)

Mr. McClure submitted proposed Rules and Regulations for county operation of the cemetery located west of the Fogartyville cemetery, and moved for approval and adoption by the Board. These provided that the responsibility for operation and maintenance of the cemetery would rest with the Manatee County Health Department; that no burials and disinterments will be made in the cemetery without prior approval of the Health Department; that Manatee County will fence the property and provide for a program of maintenance of the cemetery; that a plat will be obtained and a charge of \$30 per plot will be made and paid to a special county fund to be used to help defray the costs of maintenance. Motion was seconded by Mr. Hutches and carried unanimously.

RULES & REGULATIONS
RECORDED 022-24

CEMETERY FENCING - ADVERTISE FOR BIDS

Motion was made by Mr. McClure that the Board advertise for bids to be submitted on fence for the cemetery. Motion was seconded by Mr. Dierks and carried unanimously.

CORRESPONDENCE

Correspondence was read from

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- 1) MARTIN J. WILLIAMS, Inventory Control
Re: Air Conditioner for Island Branch Library

ISLAND BRANCH LIBRARY
AIR CONDITIONER FROM COUNTY INVENTORY

Motion was made by Mr. McClure that the Board authorize donation of

One (1) Welbilt Air Conditioner, 6000 BTU
Serial No. 2-52809, Model 2060, ASSET NO. 3351

to the Island Branch Library and that this item be deleted from
Manatee County Inventory Control Records. Motion was seconded by
by Mr. Dierks and unanimously carried.

MEETING ADJOURNED

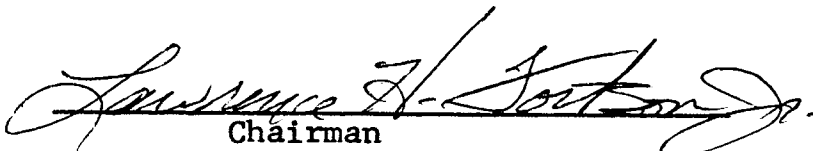
Upon motion, the meeting was adjourned.

Attest:

M. T. McInnis, Clerk

APPROVED: 27 October 1970


Deputy Clerk


Chairman