

SEPTEMBER 15, 1970

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, September 15, 1970 at 9:03 A. M.

Present were Commissioners Lawrence H. Fortson, Jr., Chairman
 C. Kenneth Burton, Vice Chairman
 Dan P. McClure
 Kenneth D. Dierks
 Robert C. Hutches
 Clerk M. T. McInnis
 County Attorney Richard A. Hampton

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.

SE-411 MRS. JOSEPH MEYERHOFF CHILD CARE CENTER APPROVED
 Request by petitioner for a child care center in an R-1A District on property located at 5316 - 12th Ave. Dr. W., Bradenton.
 The Planning Commission recommended approval at Board meeting of September 8, 1970. Postponed one week.

Mr. Price said he would be willing to withdraw any objections to the petition if there were no signs and the purpose (special exception) was granted only to the present owner and not transferrable to any other property owner.

Mr. Spagna read the committee report and stated that recommendation for approval could be based on, or subject to, "no signs", "no commercial ventures" and "maintain the character and amenities of the area". He explained that recommendation included limiting the number of children to ten and the special exception would expire in the event the petitioner moved from this location or the property was sold.

Motion was made by Mr. McClure that SE-411 for Mrs. Joseph Meyerhoff be approved for a period of three years on the basis and conditions outlined. Motion was seconded by Mr. Hutches and unanimously carried.

Z-59 SUBDIVISION REGULATIONS AMENDMENT ADOPTED
 The Planning Commission recommended approval of County Commission initiated amendment to Subdivision Regulations, Para. F., page 13, regarding canals.

Motion was made by Mr. Dierks that Z-59 be approved and amendment to the Subdivision Regulations, paragraph F, be adopted: CANALS
 Motion was seconded by Mr. Hutches and unanimously carried.

✓ RESOLUTION RECORDED ZONING
 Z-59

SE-407 LEE THARPE PIT EXCAVATION

Mr. Hutches referred to a petition, signed by property owners in Magnolia Manor, objecting to the granting of a permit to Lee Tharpe for removal of "top soil described as muck" from approximately five acres located at 2215 - 67th Street Court East. He clarified, for the record, that the pit operation was started prior to enactment of the mining ordinance and the owner did not choose to leave the property as he could have done, but he applied for a permit to

continue to remove the muck, and would now come under the new ordinance and he will be required to reclaim the land. (Bond required for reclamation of land.)

BRADEN MANOR SUBDIVISION, RE-PLAT
PORTION PLAT VACATED

The Chairman opened public hearing for the purpose of considering petition of Sandpiper Construction Company, Inc., by its owners, Henry H. Nichols and Ellis V. Richardson, for the vacation of part of Braden Manor re-plat. (Filed by Knowles & Blalock, attorneys)

Robert G. Blalock, attorney, was present and submitted copy of a resolution of City Council of Bradenton vacating the parcels described in the petition.

No objections were heard, and the Chairman declared the public hearing closed.

Motion was made by Mr. Dierks that the petition be approved and that the appropriate Resolution be adopted vacating certain dedicated land on the south side of 7th Avenue E. and the North side of 8th Avenue E., between 23rd and 24th Street E., lying within the platted bounds of Block C, Braden Manor Subdivision. Motion was seconded by Mr. McClure and unanimously carried.

RESOLUTION RECORDED 022-54

LOT CLEARING PETITIONS
CORRECTIVE ACTION DEMANDED

The Chairman opened public hearing for the purpose of considering Lot Clearing Petition

LC-172 JOHN CAVE and
FREDERIC L. FOERSTER

alleging that certain lands owned by

HERBERT L. RICE
P-92 of Sec. 26, Twp. 35 S., Rge 17E

are not cleared as required by Section 2 of Chapter 69-1284.

Mr. Cave and Mr. Foerster were present and described the lots in the petition as overgrown with weeds and invested with rats, snakes, opossums and foxes.

Philip Maring stated that proper investigation had been made and these were legitimate complaints.

Public hearing was declared closed.

Mr. Dierks moved for the adoption of a Resolution making demand upon the property owner, HERBERT L. RICE, to take corrective action with regard to said land within fifteen days from date of this Resolution. Motion was seconded by Mr. McClure and unanimously carried.

RESOLUTION RECORDED 022-55

The Chairman declared Public Hearing opened on Lot Clearing Petition

LC-182 ROBERT A. UNDERWOOD

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ALLEGING THAT CERTAIN land owned by

JOHN L. HOLLIS....., and described as
Lot 8, Block L1, Riverdale Sub., 28-34-18

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

Robert Underwood was present. Philip Maring stated that his was a legitimate complaint.

The Public Hearing was declared closed.

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

RESOLUTION RECORDED 022-56

PROJECT NO. 499
APPROVED - SPECIAL ASSESSMENT ROLL AUTHORIZED

Public Hearing was opened for the purpose of hearing objections to Special Improvements proposed in petitions from property owners in PROJECT NO. 499.

Question by Mr. Weaver, owner of Lots 59 and 60, 50th Avenue, as to service by Manatee County Utilities System, was referred to the MCUS director.

There were no objections to the project, and the Chairman declared the public hearing closed.

Mr. McClure moved for the adoption of a Resolution ordering improvements on

PROJECT NO. 499, described as
61st Street NW. from 1st Ave. NW to 3rd Ave. NW
60th Street NW from 1st Ave. NW to 5th Ave. NW
3rd Ave. NW from 59th St. NW to 61st St. NW
5th Ave. NW from 59th St. NW to 60th St. NW

and authorizing preparation of a Preliminary Special Assessment Roll for public hearing on September 29, 1970. Motion was seconded by Mr. Hutches and unanimously carried.

RESOLUTION RECORDED 022-57

PROJECT NO. 576
BIDS OPENED

Bids on the construction of PROJECT NO. 576 were received and opened and read as follows:

| | |
|----------------------------------|-------------|
| WARREN BROS. | \$24,323.60 |
| (20 cal. days; complete 60 days) | |
| GENERAL ASPHALT | 16,368.00 |
| (30 cal. days; complete 60 days) | |

The bids were referred to the County Engineer and the Highway Committee.

AMBULANCE SERVICE - BIDS OPENED

Bids on furnishing ambulance service for persons in the area of

Manatee County, Florida, were received, opened and read as follows:

| | |
|---|--------|
| ALACHUA AMBULANCE SERVICE | No bid |
| ATLAS AMBULANCE SERVICE | No bid |
| BREVARD AMBULANCE SERVICE | No bid |
| FLORIDA AMBULANCE | No bid |
| <u>LAWRENCE AMBULANCE SERVICE:</u> | |
| Base bid \$3,488.00 (per month); Alt. #1 (Island) add \$2,166.60; Alt. #2 (Palmetto) add \$1,666.66 (Bid bond) | |
| <u>MANATEE AMBULANCE</u> | |
| Base bid \$2,100.00 (per month); Alt. #1 (Island) add \$250.00; Alt. #2 (Palmetto) add \$350.00 (Cashier's check in lieu of bid bond) | |
| <u>MANNERS AMBULANCE</u> | |
| Base bid \$16,600.00 (per month); Alt. #1 add \$1,300.00; Alt. #2 add \$1,300.00 (No bid bond) | |

The bids were referred to the appropriate committee for tabulation and recommendation at work session on Thursday, September 17th, and special meeting on that date if necessary to take any action deemed necessary.

(Note: Manatee Ambulance bid was accompanied by a letter from Inter City Bank stating that \$10,000 cash was being held there as bond for that firm. The County Attorney stated that the Board has the authority to advise Manatee Ambulance to submit cashier's check in order to consider their bid. A representative of the firm stated this would be done within the hour.)

MANATEE COUNTY UTILITIES SYSTEM
BIDS OPENED: PIPE

Bids for furnishing approximately 20,000 feet of 8" polyvinyl chloride pipe for Manatee County Utilities System were received, opened and read as follows:

| | <u>Per li. ft.</u> |
|----------------------------|--------------------|
| BANKS & COMPANY | \$ 1.74 |
| B & H SALES | 1.65 |
| CLOW CORPORATION | 1.656 |
| CERTAIN-TEED PRODUCTS | 1.77 |
| INDUSTRIAL SUPPLY | 1.67 |
| SOUTHERN METER & SUPPLY | no bid |
| PALMETTO PUMP & IRRIGATION | 1.745 |
| DAVIS METER SUPPLY | 1.75 |

The bids were referred to the Director of Manatee County Utilities System for tabulation and recommendation.

MANATEE COUNTY UTILITIES SYSTEM
ADVERTISE FOR BIDS: CLAY PIPE

Upon motion by Mr. McClure, seconded by Mr. Dierks, the Board un-animously authorized advertising Invitation for Bids on clay sewer pipe for Manatee County Utilities System, said bids to be opened September 29, 1970.

PROJECT NO. 576 - CONSTRUCTION BIDS REJECTED

The County Engineer pointed out that the low bid on construction of Project No. 576 was \$9.75 per foot against county cost of \$7.38 per

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foot; therefore, it was his recommendation that all bids be rejected and public hearing be held on the Preliminary Special Assessment Roll as submitted.

Motion was made by Mr. McClure that Public Hearing on the Preliminary Assessment Roll on PROJECT NO. 576 be held on September 29, 1970. Motion was seconded by Mr. Hutches and unanimously carried.

Motion was made by Mr. Dierks that all bids on construction of Project No. 576 be rejected. Motion was seconded by Mr. Burton and unanimously carried.

(Note: The two preceding motions are inadvertently transposed. Motion to reject bids was made prior to motion for public hearing.)

BULKHEAD LINE - SUNSHINE SKYWAY
DEPARTMENT OF TRANSPORTATION

The County Engineer submitted information from the Florida Department of Transportation regarding the Sunshine Skyway Bulkhead Line, furnished by W. J. Pickhaver, District Right of Way Engineer, which included quasi-approval of the Department of Natural Resources.

Motion was made by Mr. McClure to receive the report from Florida Department of Natural Resources and incorporate it into the record concerning the public hearing on the Sunshine Skyway Bulkhead Line and close the record on that matter. Motion was seconded by Mr. Hutches and carried unanimously. (Reference: Letter dated April 10, 1970 from Department of Natural Resources to Mr. C. W. Monts De Oca, District Engineer, DOT.)

✓RECORDED

022-81

EROSION CONTROL

Chairman Fortson announced notice of public hearing on Beach Erosion to be conducted by the U. S. Corps of Engineers, October 27, 1970 at 2:00 p.m. in the meeting room of this Board.

In connection with a letter from the Department of Natural Resources concerning matching funds for erosion control being available for coastal counties, the County Engineer was authorized to confer with the County Attorney in working out a request or application to be considered for Manatee County.

"FLYING ANGELS" MOTORCYCLE CLUB

John Bongers, representing the "Flying Angels" Motorcycle Club, submitted petition from property owners on Old U.S. 41 (Palmetto) consenting to the closing of that portion of the highway for motorcycle races and festivities during the period 12 noon to 4:00 P.M., on the 26th or 27th of September, 1970. In requesting Board approval to closing the street for these activities, he stated that he had contacted Lawrence Ambulance service for a standby unit in the event it needed, and the police department(s) would cooperate.

Sheriff Weitzenfeld stated that he had not agreed to provide law enforcement and that the area in question does not lend itself to this type of meeting.

Mayor Gordon Alderman, City of Palmetto, stated he had not been approached. Palmetto Police Chief, Charles Rinehart, stated that he had advised the group that no street in Palmetto could be blocked off for this activity.

Upon question, the County Attorney advised that the street could be closed for private activity for a reasonable time, considering traffic conditions.

It was pointed out during discussion that a number of facilities would have to be provided, such as sanitary facilities, trash containers and pickup, as well as other accommodations for such a large group as anticipated for this event.

Inasmuch as this particular site was not approved by the Manatee County Sheriff and the Mayor and Police Department of the City of Palmetto, Mr. Burton moved that permission for this event at this location be denied. Motion was seconded by Mr. McClure and carried unanimously.

TRAVEL AUTHORIZED

Motion was made by Mr. McClure that James W. Davis, Jr., and William L. Priesmeyer, of Manatee County Environmental Engineering, be authorized to attend the APCA annual meeting at Ft. Walton Beach, September 20-22, 1970. Motion was seconded by Mr. Burton and carried. (Re: Air Pollution Control Grant)

Motion was made by Mr. Hutches that Randolph Snell, Robert Quinn, O. E. Randle, Jr., and Don Haddock be authorized to attend consultations on proposed regions relative to intrastate air quality control in Florida to be held in Tallahassee, September 17, 1970. Motion was seconded by Mr. Burton and carried.

JUDGMENTS - SATISFACTION (BOND ESTREATURES)

Motion was made by Mr. McClure that the Satisfactions of Judgments (16) for bond estreatures \$3,061.49 paid to the Clerk of Circuit Court, by Southern American Fire Insurance Company, be authorized executed. (Certified by Sheriff to Clerk, Estreatures of Appearance Bonds). Motion was seconded by Mr. Burton and carried unanimously.

BONDS

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

Sheriff's Department

Add to U.S. Fire Insurance Company BOND 70 50 11:

Regular Possemen: -JACK THOMAS BURRIDGE

-EDWARD R. HUNTLEY

-HARLEY W. HELMUTH

School Crossing Guard: MARJORIE L. FLEMING

STATE TUBERCULOSIS HOSPITAL

Upon motion by Mr. McClure, seconded by Mr. Dierks, the Board unanimously approved application of CARL S. CAMERON to enter the State (W.T. Edwards) Tuberculosis Hospital.

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. McClure, seconded by Mr. Hutches, the Board unanimously approved Requisitions (except those listed below) and Warrant Lists from September 8 to September 15, 1970, and authorized Warrant Lists to September 22, 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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(Cont'd)

Requisitions withheld pending investigation: No. 12553, 12641, 12644, 12645, 12648, 12650, 12652, 12655, 12656, 12663, 12666.

Warrant Lists:

| | |
|----------------------------------|---------------|
| General Revenue Fund | 12213 - 12274 |
| Road & Bridge Fund | 5670 - 5716 |
| Fine & Forfeiture Fund | 874 - 877 |
| SEIS Operating | 312 - 313 |
| Manatee County Utilities System: | |
| General Control Fund | 3657 - 3663 |

BILLS FOR PAYMENT

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

| | |
|-----------------------------------|------------|
| Payroll (County Employees) | |
| Delivery voting machines | \$1,663.75 |
| to precincts 9/8/70 election | |
| Medical Examiner, Sarasota County | 10.00 |
| Diagnostic Medical Lab. Services | 205.00 |
| Medical Foundation | 2,658.25 |
| Manatee Memorial Hospital | 496.89) |
| | 440.00) |
| Stroud Construction Co. (P & R) | 4,970.00 |
| Various - Parks & Recreation | 656.66 |

PRIVATE EASEMENT (TOWNSEND-D.T.C CORP.)

Mr. Hutches moved for the adoption of a Resolution determining that a certain private easement located in Section 20, Township 34 South, Range 19 East is adequate under present circumstances to serve as access to parcels of land presently fronting on said easement, stipulating that same is strictly a private and that the County does not intend to perform any maintenance thereon. Motion was seconded by Mr. McClure and unanimously carried. (Re: Request by W. W. Townsend, president D.T.C. Corporation)

RESOLUTION RECORDED 022-58

CONSTRUCTION TRUST FUNDS

No action was taken on proposed resolutions transferring Construction Trust Funds to the Reserve Accounts of the 13.5 and 1.65 Bond Issues.

MANATEE COUNTY UTILITIES SYSTEM

The Board was advised of receipt of funds from the Department of Transportation for payment of obligations in connection with relocation of water mains on State Road 684 (Cortez Road).

The County Attorney advised that John Shea will accept the county's proposal for bond issue of \$318,000 for purchase of Cortez Public Utilities and that final draft of contract will be presented for consideration by the Board on Thursday, September 17, 1970.

CORRESPONDENCE

Correspondence was read from

- 1) CITY OF BRADENTON BEACH
Resolution requesting ambulance be stationed on Anna Maria Island.

2) CLAFLIN GARST, JR., COUNTY JUDGE

Request appointment Kenneth Burton or Kenneth Dierks serve on Canvassing Board for November 3rd Election in his place - will be on vacation 11/4/-11/17.

Action was deferred pending opinion of County Attorney.

ELLENTON WATER PROJECT
OPEN BIDS OCTOBER 13, 1970

Motion was made by Mr. McClure that the bid opening date for construction of the Ellenton Water Main Extension be changed from October 6, 1970 to October 13, 1970. The Consulting Engineers had been notified that representative of Housing and Urban Development could not be present until October 13th, and such representation was required under present policy and procedures. Motion was seconded by Mr. Burton and carried unanimously.

Recommendation by Mr. Burton that the Board consider some solution to the problem of fire hydrants for Blackburn and Tillman Schools (Ellenton Fire Department facilities not adequate) was referred to the water committee for research and recommendation.

LAKE PARK SUBDIVISION

Govan Kelly, Jr., submitted a petition requesting assistance in ridding the area of Palmetto Lake Park Subdivision of a hazard - a water-filled pit infested with snakes and rodents. This matter was referred to Mr. Burton, in whose district the subdivision is located, to make investigation as to ownership of the "lake".

TAMPA BAY CONSERVATION & DEVELOPMENT COMMISSION

Mr. Hutches gave a report on a meeting (Monday) of the Tampa Bay Conservation and Development Commission, created to work with the Tampa Bay Regional Planning Council and make recommendations for legislation covering development around Tampa Bay.

MEETING ADJOURNED

Upon motion, the meeting was adjourned. Announcement was made by Chairman Fortson that a Special Meeting would be held Thursday, September 17, 1970 at 9:30 A. M.

Attest:

M. T. McInnis, Clerk

APPROVED:

8 December 1970


Deputy Clerk


Chairman