

SEPTEMBER 22, 1970

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, September 22, 1970 at 9:00 A. M.

Present were Commissioners Lawrence H. Fortson, Jr., Chairman  
C. Kenneth Burton, Vice Chairman  
Kenneth D. Dierks  
Robert C. Hutches

Deputy Clerk Bruce M. Cox  
County Attorney Richard A. Hampton (Entered during meeting)  
Commissioner Dan P. McClure was absent

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-417 RICHARD C. & GWENDOLYN HAMMELL DENIED  
Request by petitioner for permission to raise livestock in an R-LAB District on property located at 2717 - 73rd Ave. E., Palmetto.  
The Planning Commission recommended denial. Committee report was read.

Motion was made by Mr. Burton that SE-417 for Richard C. & Gwendolyn Hammell be denied. Motion was seconded by Mr. Dierks and carried unanimously.

LOT CLEARING - LC 198  
DEMAND CORRECTIVE ACTION

The Chairman declared Public Hearing opened for the purpose of considering Petition

LC-198 by MRS. JAN THURSBY

alleging that certain land owned by

CLARENCE A. GREENWOOD, described as  
Lots 213 & 214 Sunny Lakes Estates  
Sec. 14-35-17

has not been cleared in accordance with the requirements of Section 2 of Chapter 69-1284, Laws of Florida, Special Acts of 1969.

Mrs. Thursby was present and described the condition of the property. Philip Maring stated that this had been investigated and it was a legitimate complaint.

Public Hearing was closed. Mr. Dierks moved for the adoption of a Resolution determining that the property owner had failed to comply with the requirements of the Special Act and demanding that corrective action be taken in regard to said land within 15 days from date of this Resolution. Motion was seconded by Mr. Hutches and unanimously carried.

RESOLUTION RECORDED 022-60

MANATEE COUNTY UTILITIES SYSTEM  
BIDS OPENED: WATER METER BOXES

Sealed bids for furnishing water meter boxes for the Manatee County

SEPTMBER 22, 1970

(Cont'd)

Utilities System were received, opened and read as follows:

|                                   |         |
|-----------------------------------|---------|
| B & H SALES, INC.                 | \$ 6.58 |
| DAVIS METER & SUPPLY COMPANY      | 7.55    |
| SOUTHERN METER & SUPPLY CO., INC. | 6.37    |
| SOUTHEASTERN MUNICIPAL SUPPLY     | no bid  |

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

PARKS & RECREATION - PALMA SOLA RECREATION PARK  
BIDS OPENED: CHAIN LINK FENCE

Sealed bids for supplying and installing a chain-link fence at the Palma Sola Recreation Park were received, opened and read as follows:

|                         |                          |
|-------------------------|--------------------------|
| REEVES FENCES, INC.     | \$3,380.00 (w/ bid bond) |
| HURRICANE FENCE COMPANY | 3,985.00 (No bid bond)   |
| POST PRODUCTS           | 4,100.00 (no bid bond)   |

Motion was made by Mr. Hutches that the low bid submitted by

REEVES FENCES, INC. in the amount of \$3,380.00

be accepted and the chairman authorized to execute the contract. Motion was seconded by Mr. Burton and carried unanimously.

SWEEPER BROOMS  
ADVERTISE FOR BIDS

The County Engineer requested permission to advertise for bids for rewinding Pickup Brooms and Gutter Brooms for the Wayne Sweeper. Permission was granted and date of bid opening set as October 6, 1970 at 9:00 A.M.

HOUSE MOVING PERMIT: GILBERT HINE

Motion was made by Mr. Burton that application of

GILBERT HINE to move a building  
From Approx. 18 miles north of Parrish  
To East side of Fortner Road approx. 200'  
south of Rutland Road

be approved subject to the approval of the county engineer as to routing over public roads. Motion was seconded by Mr. Hutches and Unanimously carried.

BONDS

Upon motion by Mr. Hutches, seconded by Mr. Burton, the Board un-animously approved

Well Drilling Contractors Bonds

- HARRY H. CANNON cont. cert. American Fire & Cas. #S6-17693
- C. C. THOMPSON cont. cert. Aetna Cas & Surety #23S6391  
(D/B/A C. C. Thompson Well Drilling)
- C. A. HAWKINS cont. cert. St. Paul Fire & Marine #400AX 164

WARRANT LISTS & REQUISITIONS

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

unanimously approved Requisitions and Warrants from September 15 to September 22, 1970 and authorized Warrant Lists to September 29, 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. (Note: The Requisitions included No. 12553, 12641, 12644, 12645, 12648, 12652, 12655, 12656, 12663, 12666 and 12650 not approved in a previous meeting.)

|                                  |                                  |
|----------------------------------|----------------------------------|
| General Revenue Fund             | 12275 - 12336                    |
| Road & Bridge Fund               | 5717 - 5750                      |
| Fine & Forfeiture Fund           | 878 - 884                        |
| SEIS Operating                   | 314 - 315                        |
| Countywide Drainage              | 291 - 297                        |
| Manatee County Utilities System: |                                  |
| 13.5 Revenue Account             | 2077; 2080 - 2088<br>(void 2089) |
| 3.485 Revenue Account            | 3848 - 3856                      |
| 1.65 Revenue Account             | 462 - 464                        |
| 667,500 Revenue Account          | 244 - 245                        |
| 450,000 Revenue Account          | 13                               |
| General Control Fund a/c         | 3664 - 3724                      |

BILLS FOR PAYMENT

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

|  |                       |
|--|-----------------------|
| Parks & Recreation (various)                                   | \$ 664.11             |
| Lawyers Title Services, Inc.                                   | 620.00                |
| Sarasota Memorial Hospital                                     | 2,194.31              |
| Florida Department of Admin.<br>Div. of Personnel & Retirement | 25.00 (Civil Defense) |

CORRESPONDENCE

Correspondence was read from

- 1) STATE DEPARTMENT OF COMMUNITY AFFAIRS  
Notice of public hearing on mobile home park operations, Bradenton, September 23, 1970 from 2:00 p.m. to 5:00 p.m. (Commission Meeting Room)
- 2) GEORGE W. KIRBY  
Concurring with Sheriff's request for more deputies.

GREEN'S FUEL OF FLORIDA CORP.

Charles Singer, Route 3, Saponic Avenue, came before the Board to voice his objection to Green's Fuel of Florida Corporation installing propane tanks next to a residential district, stating that sixteen tanks were being put on property approximately 700 feet from his house according to the plans he had seen; that there was no fire fighting equipment; that there was no statement from the State or local Fire Marshall as required by the Fire Prevention Code. He complained that this is a fire and safety hazard and has deflated property values in the area.

J. C. Waldon, acting Building Director, clarified the position of his department in issuing permits for the foundations, and noted that the plans had been held up because of objection from Mr. Singer; that the plans had been initialed by a representative of Broward Williams. (Insurance Commissioner and State Fire Marshall.)

SEPTEMBER 22, 1970 (Cont'd)

The matter was referred to Commissioner Burton who stated he would contact the State Fire Marshall for a conference on the subject.

HOUSE MOVING PERMIT: IMOGENE McLEOD

It was brought to the attention of the Board that an item was inadvertently omitted from the minutes of June 23, 1970 concerning a housemoving permit. He moved that the Minutes of that date be amended or corrected to include approval of application of

IMOGENE McLEOD to move a building  
From 550 8th Avenue, Palmetto  
To 2509 - 53rd Avenue E., Bradenton

Motion was seconded by Mr. Burton and carried.

RECESS

After a short recess, the meeting was reconvened. (Enter Mr. Hampton.)

GENERAL ELECTION

RE: PLANNING COMMISSION; AIRPORT AUTHORITY

The County Attorney was instructed to prepare a Resolution providing for question concerning the membership and election of the Sarasota-Manatee Airport Authority to be placed on the ballot for the General Election, November 3, 1970.

As to question of Referendum Election relating to the abolishment of the Manatee County Planning Commission and Board of Zoning Appeals, and designating the Board of County Commissioners as the Planning Commission and the Board of Zoning Appeals, motion was made by Mr. Dierks that the Board not take the position of placing this on the ballot and that the Planning Commission and Board of Zoning Appeals continue as presently organized. Motion was seconded by Mr. Hutches for the purpose of discussion.

Voting "Aye": Mr. Dierks  
Voting "No": Mr. Hutches, Mr. Burton and Mr. Fortson.  
Motion did not carry.

Motion was made by Mr. Hutches that the item in question be placed on the Ballot for the General Election on November 3, 1970; that although he was opposed to serving as a member of the Planning Commission he was opposed to denying the public the opportunity to vote "Yes" or "No". Motion was seconded by Mr. Burton and unanimously carried.

LOT CLEARING LIENS: LC-164 & LC-168

Motion was made by Mr. Burton that the appropriate county officers be authorized to execute Notice of Lien to be assessed on certain lands owned by

ELWOOD LOVESTREAD, said lands being described as  
Lot 37, Block C, Sunset Acres Subd. Sec 15-35-17  
LC-164 Amount of lien . . . . . \$35.00

Motion was seconded by Mr. Hutches and carried unanimously.

Motion was made by Mr. Burton that the appropriate county officers be authorized to execute Notice of Lien to be assessed on certain lands owned by

SUBURBAN DRIVE IN THEATRE CORP., said lands being described as That por of the fol desc prop ly E of that Certain Rd Way desc in ORB 24, p 140, Bet 845 ft. S of the NE cor of the S1/2 of the NW 1/4 of the SW 1/4, Sec 2, run W 1320 ft. M/L to the Sec Ln, then S 100 ft. then #1320 ft. m/1 to a pt 100 ft. S of the POB, then N 100 ft. to the POB, less that por of above desc prop ly E of a ln drawn as a continuation of the W ln of Lot 1, Gaglianese Sub also being in Sec. 2, as desc in ORB 428 p 415 PRMCF.

LC-168 Amount of lien . . . . . \$37.00

Motion was seconded by Mr. Hutches and unanimously carried.

AGREEMENT - CHAMBER OF COMMERCE

The County Attorney read a proposed agreement with the Manatee County Chamber of Commerce. Action was deferred until September 29, 1970 meeting of the Board. (Re: Funds for advertising)

BUDGETARY FUNDS - CONSOLIDATED

Mr. Dierks moved for the adoption of a Resolution consolidating the Fine and Forfeiture Fund and the Drainage Fund with the General Fund, effective with the fiscal year 1970-1971. Motion was seconded by Mr. Burton and unanimously carried.

RESOLUTION RECORDED 022-61

BUDGET AMENDMENT - POLLUTION CONTROL

Mr. Dierks moved for the adoption of a Resolution amending the 1969-1970 Budget as follows:

|                             |  |             |
|-----------------------------|--|-------------|
| <u>Increase Revenue</u>     |  |             |
| Item 1192.04                | Grants and Donations for Pollution Control (from U.S.A.) | \$13,000.00 |
| <u>Increase Expenditure</u> |  |             |
| Item 79,689                 | Pollution Control  | \$13,000.00 |

Motion was seconded by Mr. Burton and unanimously carried.

RESOLUTION RECORDED 022-62

MEDICAL EXAMINERS

The County Attorney rendered opinion that bills submitted by the three pathologists, appointed by the Board of County Commissioners as Acting Medical Examiners, can be legally paid by this Board because of no action by the state as provided by the Statewide Medical Examiner Act, which became effective July 1, 1970; that professional liability bonds should be made payable to Manatee County; that although there might be a cloud on all activities of this department at this time it was still necessary to have medical examiners.

MCUS WATER METER BOXES - RETURN BID

Motion was made by Mr. Dierks that the bid of Southern Meter and Supply Company on water meter boxes for Manatee County Utilities System, which was received at 10:10 A.M., be returned unopened. (Received after time specified for opening.) Motion was seconded by Mr. Hutches and unanimously carried.

TRAVEL AUTHORIZED: RIGHT-OF-WAY AGENT

Motion was made by Mr. Hutches that Robert Moon, Right-of-way Agent,

SEPTEMBER 22, 1970 (Cont'd)

be authorized to represent the Board at a meeting of the House Appropriations Subcommittee on Florida Department of Transportation Fiscal and Budgeting Procedures to be held in Tallahassee on Friday, September 25th, 1970. Motion was seconded by Mr. Dierks and carried unanimously.

CONSTRUCTION TRUST FUNDS  
PAYMENT REQUISITIONS

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

|                                   |             |
|-----------------------------------|-------------|
| WATER REVENUE BONDS ISSUE OF 1970 |             |
| CONSTRUCTION TRUST FUND ACCOUNT   | (Port)      |
| <u>Obligations</u>                |             |
| Spinoza, Inc.                     | \$13,325.00 |
| Palmetto Pump & Irrigation        | 116.64)     |
|                                   | 674.10)     |

Motion was seconded by Mr. Burton and unanimously carried.

RESOLUTION RECORDED 022-63

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

|  |             |
|--|-------------|
| <u>SUNCOAST REALTY COMPANY CONSTRUCTION TRUST FUND</u> |             |
| <u>Requisition No. 11B-3</u>                           |             |
| Southern Line Cleaning                                 | \$ 9,001.44 |

Motion was seconded by Mr. Burton and unanimously carried.

RESOLUTION RECORDED 022-64

ENVIRONMENTAL ENGINEERING DEPARTMENT  
REVISED BID: ELECTRONIC CALCULATOR

Martin Williams, purchasing agent, recommended that the Board accept revised bid on the Electronic Calculator for the Manatee County Environmental Engineering Division/ He explained that the bid awarded Wang Laboratories, Inc., June 30, 1970, was \$178.15 in excess of the State Purchasing Contract price list; that this had been called to the attention of the bidder and they had issued credit memo for this amount which would conform to State Contract price.

Motion was made by Mr. Dierks that Board action in approving bid for \$5,090.00, submitted by Wang Laboratories, Inc., be rescinded and that bid for \$4,911.85 be accepted. Motion was seconded by Mr. Hutches and unanimously carried.

GATEWAY EAST

Mr. Dierks recommended that legal steps be taken whereby the developers of Gateway East Subdivision would be compelled to correct deficiencies in the streets (pavement, etc.) within the subdivision. Upon statement by the County Attorney that it would have to be determined if deterioration in the roads was due to faulty sewer lines underneath the pavement, or other causes, before the situation could be rectified, this matter was referred to the county engineer for investigation.

MEETING ADJOURNED

Upon motion, the meeting was adjourned.

Attest: M. T. McInnis, Clerk

*M. T. McInnis*

Deputy Clerk

APPROVED: 8 December 1970

*Lawrence H. Jackson Jr.*  
Chairman