

OCTOBER 6, 1970

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, October 6, 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

Deputy Clerk Bruce M. Cox  
County Attorney Richard A. Hampton

The meeting was called to order by Chairman Fortson.

LOT CLEARING LC-207  
DEMAND FOR CORRECTIVE ACTION

The Chairman declared Public Hearing opened on Lot Clearing Petition

LC-207 PHILIP R. AVERELL  
10011 46th Ave. West  
Bradenton, Florida

alleging that certain land owned by

FRANK J. & ELLA MAY FRAIN, and described as  
Lot 9, Block D,  
Bay Beach Subdivision 12-35-16

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

Mr. Averell was present and described the condition of the adjoining property. Philip Maring, Zoning Administrator, advised that appropriate investigation had been made and that this was a legitimate complaint.

The property owner was not represented at the hearing.

The Chairman declared the Public Hearing closed.

Mr. Dierks moved for the adoption of a Resolution making demand upon the property owner, FRANK & ELLA MAY FRAIN, to take corrective action with regard to said land within 15 days from the date of said Resolution. Motion was seconded by Mr. McClure and unanimously carried.

RESOLUTION RECORDED 022-80

SWEeper BROOMS - BIDS OPENED

Only one bid was received for sweeper brooms for the Wayne Sweeper, said bid being opened and read as follows:

SOUTH FLORIDA ENGINEERS, INC.	
Rewind pickup brooms	168.50 each
Gutter brooms	59.25 each

The bid was referred to the County Engineer for review and recommendation.

GREEN'S FUEL OF FLORIDA CORP.

Charles Singer, who had complained about installation of storage tanks by Green's Fuel of Florida Corporation too close to his residence, and not being properly inspected by the State Fire Marshall, was advised that L. W. Cook, Deputy State Fire Marshall would be on the site in the very near future to investigate the situation.

PLANTATION VILLAGE MOBILEHOME PARK

Motion was made by Mr. Burton that cash bond of \$8,250.00 be accepted from Plantation Village Mobile Home Park, Inc., as security deposit to guarantee completion of streets and drainage improvements in the development. Motion was seconded by Mr. Dierks and unanimously carried. (No obligation by County to accept or maintain the facilities after completion.)

BULKHEAD LINE - SUNSHINE SKYWAY

The County Attorney read a Resolution concerning the establishment of a bulkhead line in the right-of-way of State Road 55 (Sunshine Skyway) as petitioned by the Department of Transportation.

Mr. Dierks moved for the adoption of the resolution establishing a bulkhead line described as follows:

Bulkhead Line in Tampa Bay, lying within the existing right-of-way of State Road 55, US 19, Sunshine Skyway, in Sections 21 and 28, Township 33 South, Range 17 East, County of Manatee, State of Florida.

Motion was seconded by Mr. Burton and unanimously carried.

RESOLUTION RECORDED 022-81

SPEED LIMITS ESTABLISHED

Mr. Burton moved for the adoption of a Resolution, read by the County Attorney, establishing speed limits on County maintained roads as follows:

26th Avenue East	
-from 15th Street East to Elwood Park	35 MPH
57th Avenue West	
-from 26th Street West to 34th Street West	30 MPH
9th Avenue West	
-from City Limits to 43rd Street West	35 MPH
13th Avenue West	
-from City Limits to 43rd Street West	30 MPH
35th Street West	
-from 11th Avenue West south to 15th Ave. W.	25 MPH
43rd Street West	
-from Manatee Avenue to 3rd Avenue NW	25 MPH
Lockwood Ridge Road - from Sarasota County	
Line north to end of pavement	35 MPH
Prospect Road from Tallevast Road north to	
Saunders Road	40 MPH
17th Avenue NW - from 75th Street to	
83rd Street West	35 MPH
Singletary Road - from Sarasota County Line	
easterly to State Road No. 70	45 MPH

Motion was seconded by Mr. McClure and unanimously carried.

RESOLUTION RECORDED 022-82

SPEED LIMITS EFFECTIVE

The County Engineer certified to the Board that appropriate speed limits signs have been erected on

24th Street West - from 53rd Avenue West	
(Oneco Road) to 57th Avenue West (Little	
Pittsburgh Road)	25 MPH

OCTOBER 6, 1970

(Cont'd)

as established by Resolution adopted July 7, 1970.

CERTIFICATE OF COMPETENCY  
APPLICATION - ELECTRICAL CONTRACTOR

William Lowe, attorney, (in law office of Jerome Pratt), submitted petition and application of SAMUEL SCOTT for a certificate of competency to engage as an electrical contractor in Manatee County, Florida, without examination. Mr. Scott was present, also.

Upon question, the County Attorney advised that the Board has no discretion in granting a license without examination, pointing out that basis is 1957 Act which precludes the "grandfather" clause, which specifies a contractor must apply within six months from the effective date of this Act; that if Mr. Scott was wronged in 1958-1959, then that was the time he should have challenged the law. Concerning examinations, he stated that the Board determines the examinations and does not have to follow the Block system.

The petitioner was advised that this matter would be discussed with members of the Electrical Contractors Examining Board.

STATE TUBERCULOSIS HOSPITAL

Upon motion by Mr. Burton, seconded by Mr. Dierks, the Board un-animously approved application of ABRAHAM GENTRY to enter the State (W. T. Edwards) Tuberculosis Hospital. \*

BONDS

Motion was made by Mr. Burton that the following bonds be approved:

Medical Examiners

DR. CHARLES J. FOLEY	#843915)	Surety: Gulf
DR. KENNETH L. SCHERMER	#843916)	American Fire &
DR. JOHN D. LEHMAN	#843917)	Casualty Company

Well Drilling Contractors

LOWELL PEMELMAN	(Continuation)	#NF3787016	Hartford A & I
GORDON R. ANDERSON	"	#400AV2925	St. Paul Fire & Marine

Moving & Alteration of Buildings

R. E. JOHNSON & SON, INC.	General Ins. of America
For J. H. Smith - to move building from 1912 13th St. W.	
	to Lot 5, Block 6, Marlee Acres, Palmetto
R. E. JOHNSON & SON, INC.	General Ins. of America
for Gilbert Hine - to move building from Riverview	
	to East of SR 43 on south side of S-675, Parrish

and that the following bonds be released:

Contractors' Bonds

T. K. ANGELL ELECTRIC	#667712	20149431	Auto-Owners
TRAIL PLUMBING	#9S115-479		Kemper Ins.
L. E. MARLEY & WADE A. DIX d/b/a Dix & Marley	#N3821972		Hartford A & I

\*Motion included approval of applications of HAROLD H. HEISER, JR., and HENRY DANIEL COWEN.

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Burton, seconded by Mr. Dierks, the Board un-animously approved Requisitions and Warrant Lists from September 29 to October 6, 1970, and authorized Warrant Lists to October 13, 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.

General Revenue Fund	12398 - 12540
Road & Bridge Fund	5751 - 5910
Fine & Forfeiture Fund	887 - 892
SEIS Operating	317 - 326
Countywide Drainage	298 - 299
Hospital Construction	166
Courthouse Construction	38
Manatee County Utilities System:	
13.5 Revenue Account	2092 - 2109
3.485 Revenue Account	3860 - 3862
1.65 Revenue Account	467 - 472
450,000 Revenue Account	14
General Control Fund Account	3726 - 3761

BILLS FOR PAYMENT

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

A. T. Monroe	\$ 244.00
Diagnostic Medical Lab. Service	875.00
Lehman, Foley, and Schermer, Medical Examiners	990.00
Various for Parks & Recreation	132.15 & 205.92
Medical Foundation	2256.00
Manatee Memorial Hospital (MH)	1763.00
Ellenton Areas Civic Association	40.00

CONSTRUCTION TRUST FUNDS

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

WATER REVENUE BONDS ISSUE OF 1970 CONSTRUCTION TRUST FUND

Requisition/obligation

Spinoza, Inc. \$16,679.42

RESOLUTION RECORDED 022-83

and

SUNCOAST REALTY COMPANY, INC., CONSTRUCTION TRUST FUND

Requisition No. 11B-4

Southern Line Cleaning \$5,912.91

RESOLUTION RECORDED 022-84

Motion was seconded by Mr. Burton and un-animously carried.

MANATEE COUNTY UTILITIES SYSTEM  
RENEWAL & REPLACEMENT ACCOUNT

Mr. Dierks moved for the adoption of a Resolution authorizing the Director of Manatee County Utilities to establish a "Renewal and Replacement Account" at the First National Bank of Bradenton, and designating L. H. FORTSON JR., Chairman of the Board of County

OCTOBER 6, 1970

(Cont'd)

Commissioners or KEN BURTON, Vice Chairman, and CHRIS ANGELIDIS or RAY PARKER or VIRGINIA PENNINGTON as the persons authorized to sign checks withdrawing funds from said account. Motion was seconded by Mr. Burton and unanimously carried.

RESOLUTION RECORDED 022-85

## BORDEN, INC., - SATISFACTION OF JUDGMENT

Motion was made by Mr. Burton that the Chairman of the Board be authorized to execute Satisfaction of Judgment, acknowledging payment in full of \$15,000.00, in Case No. 70-125, Robert C. Hutches, et al (Manatee County) vs. Borden, Inc. Chairman Fortson stepped down and seconded the motion. Upon vote, the motion carried unanimously.

## GATEWAY EAST (A/K/A BRADEN RIVER CITY)

Upon question by Mr. Dierks, the County Attorney advised that he had reviewed the problem concerning Gateway East and it was obvious that defects in the roadway were caused by defects in the sewer lines underneath the roadway causing caving in of the pavement; that many letters had been written to the subdivider to take corrective action as it was their responsibility to repair the sewer lines. (Ref. Southern Gulf Utilities, Inc., William J. Conlon, 20215 Second Ave. W., Miami, Florida.)

MANATEE COUNTY UTILITIES SYSTEM  
ADVERTISE FOR BIDS ON EQUIPMENT

Motion was made by Mr. Burton that the Director of Manatee County Utilities System be authorized to advertise for bids to be received on

Air Compressor  
Tractor with blades

Heavy Duty Pump  
2 Sedan vehicles

subject to review of the specifications by the appropriate committee. Motion was seconded by Mr. McClure and unanimously carried.

## REFUND - PERMIT FEES (BUILDING DEPARTMENT)

Motion was made by Mr. Dierks that the Board authorize refund to

General Sheet Metal of Sarasota, Inc., \$11.50  
for HARV permit and inspections on a  
job in Whitfield Estates, which was  
subject to Whitfield Estates Zoning  
rather than the Manatee County Building  
Department.

Motion was seconded by Mr. Burton and unanimously carried.  
(Ref. Heating & Air Conditioning Permit dated September 23, 1969,  
issued in error for William Rose residence, 943 St. Andrew  
Drive, Whitfield Estates)

## ASSISTANT COUNTY ENGINEER: COL. KENNETH FOSTER

Don Lovejoy, County Engineer, requested that the Board consider naming Colonel Kenneth Foster as Assistant County Engineer, as this title would be more appropriate than "Design Engineer" in view of the wider scope of his responsibilities, etc.

Motion was made by Mr. Dierks that the recommendation of the County Engineer be accepted and that Col. Kenneth Foster be named as

OCTOBER 6, 1970

(Cont'd)

Assistant County Engineer. Motion was seconded by Mr. Burton and carried unanimously.

After declaration by the Chairman that the meeting was adjourned it was brought to the attention of the Board that an item of business had been overlooked.

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The Board of County Commissioners of Manatee County, Florida, reconvened at 10:12 A. M., Tuesday, October 6, 1970, with all members present except Commissioner Robert C. Hutches.

The meeting was called to order by the Chairman.

EMERGENCY MEDICAL CARE - AMBULANCE SERVICE COMMITTEE

Commissioner McClure, on behalf of the Ambulance Service Committee, submitted recommendations of Dr. R. T. Conard for appointment of members to the committee, and moved that the recommendations be accepted and appointments be made as follows:

BENTLY LANG	Manatee Memorial Hospital
MAJOR CLYDE GILL	Sheriff's Department
CAPT. PERKINS	Cedar Hammock Fire Dept.
CAPT. MICHAEL SPILLANE	American Red Cross
CHARLOTTE LEIGHTON, R.N.	County Health Department
R. T. CONARD, M.D.	

Motion was seconded by Mr. Burton and unanimously carried.

MEETING ADJOURNED

Upon motion, the meeting was declared adjourned.

Attest:

M. T. McInnis, Clerk

APPROVED: 19 January 1971

  
Deputy Clerk

  
Chairman