

OCTOBER 27, 1970

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, October 27, 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.

**TAX ROLLS CERTIFIED**

Upon presentation of the Tax Rolls for 1970 by Miram Strickland, Tax Assessor, motion was made by Mr. Hutches that said Tax Rolls be approved and certified to the Tax Collector as required by law. Motion was seconded by Mr. Dierks and carried unanimously.

✓ CERTIFICATES RECORDED 022-95

**MINUTES APPROVED**

Upon motion by Mr. Burton, seconded by Mr. Hutches, the Board unanimously approved minutes of

REGULAR MEETING OF AUGUST 4, 1970  
SPECIAL MEETING OF AUGUST 6, 1970  
REGULAR MEETING OF AUGUST 11, 1970  
REGULAR MEETING OF AUGUST 18, 1970  
SPECIAL MEETING OF AUGUST 20, 1970  
REGULAR MEETING OF AUGUST 25, 1970  
SPECIAL MEETING OF AUGUST 28, 1970

**Z O N I N G**

Neno Spagna introduced Jerry West, assistant planner.

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

R-420 EVERETT B. SHANNON REZONE TO "C" DENIED  
(Clifford E. Smith, Agent) - Request change of zoning from District R-1 to District C for the purpose of a Convenience Store on property located at 1905 U.S. 41 N., Palmetto. (Deferred from October 13, 1970)  
The Planning Commission recommended denial.

Motion was made by Mr. Burton that R-420 for rezone to District "C" be denied. Motion was seconded by Mr. Dierks and unanimously carried.

S E-418 MYRA RICH BEAUTY SHOP APPROVED  
Request for Special Exception for the purpose of operating a Beauty Shop in a District A zone on property located on the north side of SR 70 and east of the Oneco Youth Center. Committee report was read. The Planning Commission recommended approval.

Motion was made by Mr. Dierks that SE-418 for Myra Rich (Beauty Shop in "A" District) be approved. Motion was seconded by Mr.

OCTOBER 27, 1970

(Cont'd)

Hutches and unanimously carried.

SE-419 EDMUND H. BURKE M/HOME APPROVED

Request for mobilehome as a dwelling in conjunction with agriculture and while constructing a home on property located north and west of U.S. 301 and west of Pine Road, in Parrish area.

The Planning Commission recommended approval for two years.

Motion was made by Mr. Burton that SE-419 for Edmund H. Burke be approved. Motion was seconded by Mr. Hutches and unanimously carried.

SE-420 DEWEY E. ADAMS M/HOME APPROVED

Request for mobilehome for occupancy by family members in conjunction with agriculture on property located at the SE corner of SR 70 and Betts Road. (15 acre tract)

The Planning Commission recommended approval for a period of two years.

Motion was made by Mr. Hutches that SE-420 for Dewey E. Adams be approved for a period of two years as recommended. Motion was seconded by Mr. Burton and unanimously carried.

SE-421 LYDIA R. & FRANK L. THOMAS CHILD CARE CENTER APPROVED

Request for Special Exception to permit the operation of a Child Care Center in an R-1B District on property located at 1517 Wilmerling Road (65th Ave. W.)

The committee report was read. The Planning Commission recommended approval subject to the following conditions:

- ==All loading and unloading of children shall be on subject property and not on the public right-of-way;
- ==Outdoor activity area of children shall be enclosed with a chain link fence adequate to keep them safely contained on the premises;
- ==Special Exception shall be for a period of five years and shall automatically expire unless the petitioner applies for and receives a new Special Exception.

An attorney, appearing on behalf of Frank J. Spoto, questioned if this would have an adverse effect on vacant property across the street.

Motion was made by Mr. Dierks that SE-421 for Lydia R. & Frank L. Thomas be approved as recommended by the Planning Commission. Motion was seconded by Mr. Burton and unanimously carried.

SE-422 ROGER A. & MARJORIE A. HILL M/HOME APPROVED

Request for mobilehome as dwelling in conjunction with agriculture and while constructing a residence on a 10-acre parcel located on the south side of Golf Course Road, south and east of U.S. 41, Palmetto. (Adjoining 10 acres on the east leased by petitioner with option to purchase.)

The Planning Commission recommended approval for a two-year period.

Motion was made by Mr. Burton that SE-422 for Roger A. & Marjorie A. Hill be approved for a two-year period. Motion was seconded by Mr. Hutches and unanimously carried.

R-421 E. D. C., INC. REZONE TO M-2 ADOPTED  
 (Carl Henson, Jr., president) - Request by petitioner for change of zoning from District A to District M-2 for the purpose of uses consistent with M-2 zoning on 5 acres located on the north side of 63rd Ave. and east of A.C.L. Railroad.  
 Committee report was read. The Planning Commission recommended approval.

Motion was made by Mr. Dierks that R-421 be approved and rezone of the property to District M-2 be adopted. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

ZONING  
R-421

R-422 REZONE FROM C-2 TO R ADOPTED (PLANNING COMMISSION)  
 Request for change of zoning from District C-2 to District R for the purpose of residential development on properties located along 25th St., east of U.S. 41 to 8th Ave. E. in the Washington Park area, Palmetto. The Planning Commission recommended approval, with the exception of those lots which abut immediately on U.S. 41; recommended rezoning Lots 12 to 19, incl., 121 to 124, incl., 147 to 154, incl., 177 to 184 incl., 207 to 214 incl., 237 to 240 incl., Washington Park Sub.; the N 130 ft. m/1 of Lots 1 to 10, inc., H. L. Moss Sub. #2 (presently zoned C-2); Lots 1,2,3 and N 20 ft. of Lot 4, Blk. A and Lots 1, 2,3 and N 20 ft. of Lot 4, Blk. B, Moss Oaks Sub.; Lots 1,2 and N 30 ft. of Lots 3 and 4, Block 1, Houghtons Addition;\*

Motion was made by Mr. Burton that R-422 be approved and rezone to District "R" be adopted on those properties recommended by the Planning Commission. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

ZONING  
R-422

R-423 FRANK GAMSKY (LINGER LODGE) REZONE TO T-3 ADOPTED  
 Request for change of zoning from District A to District T-3 for a Travel Trailer Park on ten acres located on the Braden River south of SR 70 at the south end of Linger Lodge Road.  
 The Committee report was read. The Planning Commission recommended approval.

Motion was made by Mr. Dierks that R-423 be approved and rezone of the property to District T-3 be adopted. Motion was seconded by Mr. Burton and carried unanimously.

RESOLUTION RECORDED

ZONING  
R-423

R-424 ROBERT L. HOLLIFIELD REZONE TO M-2 DEFERRED  
 Request for a change of zoning from District C-1 to District M-2 for the purpose of mobilehome repair service and storage for travel trailers and campers on property located at 5919 15th St. E., Bradenton.  
 The Committee report was read. The Planning Commission recommended denial.

Mr. Hollifield was present and outlined his plans for the use of the property, stating that the property was not adapted to C-2 uses and that there were trailer storage facilities presently within three hundred feet.

Upon question, Mr. Spagna explained that this could possibly be permitted under C-2 if classification more specifically defined;

\*See page 552 for balance description

OCTOBER 27, 1970

(Cont'd)

that the committee did not object to the purpose, but did object to M-2; that there was no provision for Special Exception in C-1 zone.

Motion was made by Mr. Dierks that decision on R-424 be withheld for one week and that Mr. Hollifield confer with the Zoning Department as to this use of the property under C-1 or C-2. Motion was seconded by Mr. Hutches and unanimously carried.

R-426 ELIZABETH ALLEN REZONE TO "R" ADOPTED

(Ed Winter, Agent) - Request for change of zoning from District C-2 to District R for the purpose of constructing a residence on property located at 923 70th St. Ct. E., Rubonia, Fla.

The Planning Commission recommended approval as proposed use would be compatible with surrounding area (extension of existing "R" zoning).

Motion was made by Mr. McClure that R-426 be approved and rezone of the property to District "R" be adopted. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

ZONING  
R-426

PRIVATE ROAD AS ACCESS (GORDON A. HERMAN)

Leo Mills and William Grimes submitted request of Gordon A. Herman that a certain private street between his property and the main Terra Ceia Loop Road be approved by the Board for purposes of access.

Motion was made by Mr. McClure that the County Attorney be authorized to prepare the appropriate resolution for presentation and consideration at the next regular meeting. He pointed out, however, that if over the maximum number of parcels are conveyed, Mr. Herman would have to conform to subdivision regulations and there is a possibility that use of the private road may generate traffic to the extent that the county would be requested to accept for maintenance. Motion was seconded by Mr. Hutches.

The County Attorney outlined the terms under which this request may be approved and that it would be necessary for the property owner to convey, by easement, to those persons using the road.

Motion carried unanimously.

BROOMS FOR WAYNE SWEEPER: BIDS OPENED

Bids on brooms for the Wayne Sweeper were received, opened and read as follows:

JIM MARSH EQUIPMENT

Refill \$159. each; Refill (alt.) \$250.00 each  
Gutter brooms \$35.00 in lots of 12 sets

SMITH SUPPLY COMPANY

Wayne brooms core p/plastic \$180. (rewinding)  
Gutter brooms \$38.00 per set

The bids were referred to the County Engineer and the highway committee for tabulation and recommendation.

CORRESPONDENCE

Correspondence was read from

- 1) CITY OF BRADENTON  
Re: Transfer of blinker light from 59th Street to 75th Street. Advising that request will be transmitted to Department of Transportation.
- 2) DEPARTMENT OF TRANSPORTATION  
Re: Traffic Control SR 684 at intersection with SR 789, Gulf Drive, Bradenton Beach  
Advising that, based on data obtained from traffic engineering study, recommendation made to District Maintenance Engineer that a 12" flashing red signal be installed on existing stop sign.

## 15TH STREET EAST TRAFFIC STUDY

Mr. Dierks moved for the adoption of a Resolution, read by the County Attorney, requesting the Department of Transportation make investigation of the traffic conditions existing at the intersection of 26th Avenue East and 15th Street East. Mr. McClure pointed out that the same situation existed at the intersection of 30th Avenue East and 15th Street East and suggested including this location in request for traffic survey. Motion was amended to request the Department of Transportation to make a traffic study of

- (1) 26th Avenue East and 15th Street East
- (2) 30th Avenue East and 15th Street East

to determine the need for the installation of traffic control devices at these intersections. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

022-96

ONECO PARK SUBDIVISION  
PORTION PLAT VACATED

Public Hearing was opened for the purpose of considering petition of North American Realty Corporation for the discontinuance of certain public streets, roads or alleyways in ONECO PARK SUBDIVISION. Chester McMullen, attorney, appeared in behalf of the petitioners.

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

Motion was made by Mr. Dierks that the petition be granted and ~~resolution adopted~~ vacating the lots and streets outlined in said petition. Motion was seconded by Mr. Hutches and unanimously carried.

## VACATION OF STREETS &amp; PLATS

Neno Spagna suggested that amendment be made to the procedure for the vacation of streets and plats whereby the petitioner would be required to submit a copy of the approved plat or a survey depicting the street or streets or the portion of the plat in question along with the legal description. There were no objections to this being added to the procedures.

## MANATEE COUNTY UTILITIES SYSTEM: AUDIT

Ralph S. Clark requested a copy of the current audit of the Manatee County Utilities System.

OCTOBER 27, 1970

(Cont'd)

He was advised that this audit was in process and that he would be furnished a copy as soon as the audit was completed and copies became available.

RECORDAK PROSTAR FILM PROCESSOR (CLERK)  
BIDS OPENED

Sealed bids were received, opened and read on furnishing and installing one (1) Recordak Prostar Film Processor in the office of the Clerk of Circuit Court, as follows:

		<u>Net</u>
LANIER BUSINESS PRODUCTS OF SARASOTA	\$3,395.00	
Less trade-in	175.00	\$
 EASTMAN KODAK	 \$3,430.00	
Less trade-in	175.00	

The bids were referred to the Clerk of Circuit Court for review and recommendation.

HEAVY DUTY PUMP; AIR COMPRESSOR (MCUS)  
BIDS OPENED

Sealed bids were received, opened and read on equipment for the Manatee County Utilities System, as follows:

<u>Heavy Duty Double Diaphragm Pump</u>		
PALMETTO PUMP	\$2,023.74	
<u>Air Compressor</u>		
TURNER SUPPLY	\$4,649.00	
TERRY SUPPLY	4,790.00	
MASON EQUIPMENT		

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

CONSTRUCTION TRUST FUNDS - PAYMENT REQUISITIONS

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

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 5B-171

Manatee County Utilities System  
Reserve Account; c/o Chemical Bank \$18,181.08

✓RESOLUTION RECORDED 022-97

Requisition No. 5B-172

Manatee County Utilities System \$4,394.74

✓RESOLUTION RECORDED 022-98

CONSTRUCTION TRUST FUND

Requisition No. 9B-39

Manatee County Utilities System  
Reserve Account \$4,279.20

✓RESOLUTION RECORDED 022-99

SUNCOAST REALTY CONSTRUCTION TRUST FUND

Requisition No. 11D-7

Russell & Axon \$2,300.68

✓RESOLUTION RECORDED 022-100

**WATER & SEWER SYSTEM CONSTRUCTION TRUST FUND**  
Requisition No. 6B-61

Manatee County Utilities System  
 Reserve Account in Sinking Fund \$252.79  
 ✓RESOLUTION RECORDED 022-101

Motion was seconded by Mr. Burton and unanimously carried.

**ELLENTON WATER MAIN EXTENSION**

Mr. Burton moved for the adoption of a Resolution awarding the bid on the Ellenton Water Main Extension DHUD PROJECT NO. WS-FLA-193, PROJECT NO. 6353-3H, to Mechanical & Chemical Equipment Company, Inc., in the amount of \$287,238.65, subject to approval by the Department of Housing & Urban Development. Motion was seconded by Mr. Hutches and unanimously carried.

✓RESOLUTION RECORDED 022-102

**MANATEE COUNTY UTILITIES SYSTEM**  
 RE: BANK ACCOUNTS & SIGNATURES

Mr. Dierks moved for the adoption of

A Resolution establishing bank accounts at the First National Bank of Bradenton:  
 (1) Special Construction Account (2) Renewal and Replacement Account, \$3.485 Million Bond Issue;  
 (3) Renewal and Replacement Account \$.6675 Bond Issue; authorizing persons to sign checks on said accounts;

✓RESOLUTION RECORDED 022-103

A Resolution establishing "Renewal and Replacement Account" \$.450 Million Bond Issue at the Manatee National Bank of Bradenton, and authorizing persons to sign checks on/said account

✓RESOLUTION RECORDED 022-104

A Resolution establishing "Renewal and Replacement Account" \$1.65 Million Bond Issue at the Island Bank, and authorizing persons to sign checks on said account.

✓RESOLUTION RECORDED 022-105

Motion was seconded by Mr. Burton and unanimously carried.

**CONSTRUCTION TRUST FUNDS - PAYMENT REQUISITIONS**

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

WATER REVENUE BONDS ISSUE OF 1970 CONSTRUCTION TRUST FUND

Obligations: (Ellenton Water Main)			
Russell & Axon	\$11,063.02	✓RESOLUTION RECORDED	022-106
Obligations: (Port Manatee)			
Clow Corporation	\$ 955.60	✓RESOLUTION RECORDED	022-107
Obligations: (Port Manatee)			
Palmetto Pump & Irrigation	\$ 990.59		
Singeltary Concrete Products	100.00	✓RESOLUTION RECORDED	022-108

Motion was seconded by Mr. Burton and unanimously carried.

OCTOBER 27, 1970

(Cont'd)

## MANATEE AMBULANCE, INC. (BOND)

James Garland, attorney representing Manatee Ambulance Service, was present to answer any questions Board members might have in regard to performance bond furnished by his client. The Chairman stated for the record that the bond was delivered at the time stipulated.

Martin Williams submitted a report from the Insurance Department of the State of Florida on the financial rating of the Surety Company, Georgia Casualty & Surety Company, and statement from the State Insurance Commissioner's local office that it is a very sound company and has a very good policyholder and financial rating.

Motion was made by Mr. Dierks that Bond No. 3298 of the Georgia Casualty & Surety Company for MANATEE AMBULANCE, INC., in the amount of \$30,000.00, be approved and accepted. Motion was seconded by Mr. Hutches and unanimously carried.

## POLLUTION ABATEMENT - PROPOSED AMENDMENT (ELECTIONS)

Randolph Snell, Chairman of the Manatee County Pollution Control Board, requested the Board to favor approval of proposed amendment to Article VII, #14, of the Constitution of Florida, providing the authority for financing for construction of air and water pollution and solid waste disposal facilities, and submitted a resolution for consideration.

Motion was made by Mr. Burton that the Resolution (read by the County Attorney) be adopted by the Board favoring approval of proposed amendment No. 4 "Pollution Abatement", to the Constitution of Florida, appearing on the ballot of the General Election of November 3, 1970. Motion was seconded by Mr. McClure and unanimously carried.

RESOLUTION RECORDED 022-109

ALTERATIONS JAIL FACILITIES  
AGREEMENT: SIDNEY WILKINSON, ARCHITECT

Motion was made by Mr. McClure that the Chairman of the Board be authorized to execute Agreement (Contract) with Sidney Wilkinson, architect, for plans, specifications and supervision of alterations to Manatee County Jail Facilities, if he finds the terms and fees to be fair and reasonable. Motion was seconded by Mr. Hutches and carried unanimously.

## WORKMEN'S COMPENSATION: BID AWARDED

Martin Williams submitted tabulation and comparison report on bids on Workmen's Compensation Insurance, opened October 13, 1970, with recommendation that, based on indications that the Argonaut Insurance Company gives the greater premium return to the insured as outlined in the report, the bid be awarded to Argonaut.

Motion was made by Mr. Burton that the bid of

WEICHEL'S BRADENTON INSURANCE, INC., agent  
for Argonaut Insurance Company - premium \$47,851.00

be accepted as recommended by Mr. Williams. Motion was seconded by Mr. Hutches and unanimously carried.

## BONDS

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



unanimously approved

Sheriff's Department

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

- ✓ EDWARD E. KISH - Deputy Sheriff
- ✓ JACK THOMAS BURRIDGE - from Posseman to Jailer

Deletion:

- ✓ DOYLE P. ELKINS, - Jailer

H.A.R.V. Contractor Bond

- ✓ Release: W. W. GAY #8037-19-75 Federal Ins.

Housemoving Contractor - Continuation Certificate

- ✓ ROWE A. MEADE #7913513 Millers Mutual Fire Ins.

Well Drilling Contractor - Bond Cont. Cert.

- ✓ JAMES R. GUEST #400AV2932 St. Paul Fire & Marine

SOUTH BRADEN CASTLE CAMP ADDITION TO MANATEE  
RE: PETITION TO VACATE STREETS

The Board received petition of RICHARD and GLYNN SELLARS, DAISEY RUTH MORRISON, STUART GLENN AND DORIS ELEANOR DORNAN to consider the vacation of certain streets in South Braden Castle Camp Addition to Manatee. Motion was made by Mr. Hutches that Public Hearing on this petition be held on Tuesday, November 10, 1970 at 9:00 A. M. Motion was seconded by Mr. Burton and carried.

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Hutches, seconded by Mr. Burton, the Board unanimously approved Requisitions and Warrant Lists from October 22 to October 27, 1970 and authorized Warrant Lists to November 3, 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.

Manatee County Utilities System	
General Control Fund Account	3808 - 3809

BILLS FOR PAYMENT

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

Shoup Voting Machine (Interlocks)	\$10,331.75
Culvert Manufacturing Company	292.56

ITEM TO ITEM TRANSFER: COUNTY JUDGE

County Judge Claflin Garst, Jr., submitted request for transfer of budget items. Motion was made by Mr. Burton that Item to Item transfers be approved and authorized as follows:

<u>General Revenue Fund (County Judge)</u>		
From	Expenses other than Salaries	\$870.16
To	Equipment	\$870.16

Motion was seconded by Mr. Dierks and carried unanimously.

CORRESPONDENCE

Correspondence was read from

OCTOBER 27, 1970

(Cont'd)

- 1) JOHN H. MARBLE, Director, Parks & Recreation  
Advising election of officers: Dr. George J. Cajoleas, Chairman; G. T. Bray, Vice Chairman
- 2) STATE DEPARTMENT OF HEALTH & REHABILITATIVE SERVICES  
Read in entirety. Portion relating to question of approval of package treatment plants inserted in the record:  
".....A proposal to serve Manatee County with permanent neighborhood sewage treatment facilities is not acceptable to the Division of Health. The proliferation of small treatment plants has been consistently opposed throughout the state as not being appropriate in densely populated areas....."
- 3) DEPARTMENT OF HOUSING & URBAN DEVELOPMENT  
Approval of grant allocation of \$67,983.00 for Project No. Fla. B-15, Urban Beautification and Improvement Program.

## CENTRAL SEWER SYSTEM

Board members discussed interim financing of a County Central Sewer System, package treatment plants, etc.

## COURT ORDER ( COURT REPORTER: LIBRARY)

In accordance with an order from Circuit Court, motion was made by Mr. Burton that the sum of \$75.50 be paid to Donald Bell, Court Reporter, for preparation of transcript in connection with criminal proceedings involving indigents. Motion was seconded by Mr. Dierks and carried unanimously.

The County Attorney advised that Agreement between the City of Palmetto and the City of Bradenton and Manatee County, concerning the Countywide Library, has been prepared. Action was deferred pending a conference with the cities.

## MEETING ADJOURNED

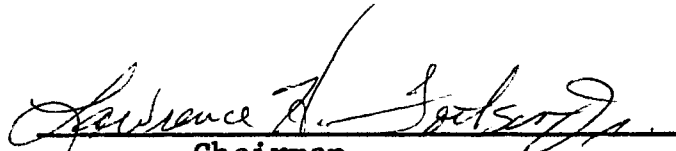
Upon motion, the meeting was declared adjourned.

Attest:

M. T. McInnis, Clerk

APPROVED: 19 January 1971

  
Deputy Clerk

  
Chairman

Cont'd from page 545

Re: R-422 (add to description)  
Parcel of land beginning at NW corner of NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ,  
S. 125 ft., E 330+ ft.; all of the above lying and  
being in 12-34-17 (25th St. E., Palmetto)