

DECEMBER 15, 1970

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, December 15, 1970 at 9:00 A. M.

Present were Commissioners 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 Vice Chairman Burton.

MANATEE MEMORIAL HOSPITAL

J. C. Garrison submitted recommendation of the Board of Trustees of the Manatee Memorial Hospital that the County Commissioners accept the proposal of Donald Ritchie, Architect, Fort Lauderdale, to provide architectural and master planning studies for additional hospital beds in Manatee County.

No action was taken by the Board pending further discussion in work session.

PARK ACRES SUBDIVISION  
PORTIONS OF STREETS VACATED

Public Hearing was opened for the purpose of considering petition by The Overland Corporation for closing and vacating certain platted roads, streets and alleys in Park Acres Subdivision. (Gilbert A. Smith, of Dye, Dye, Smith, Cleary & Scott, attorney)

There were no objections, and public hearing was declared closed.

Motion was made by Mr. Dierks that the petition be granted and that Resolution be adopted vacating that portion of 6th Street West and that portion of 48th Avenue West, Park Acres Subdivision, as described in said petition. Motion was seconded by Mr. Hutches and unanimously carried.

RESOLUTION RECORDED P22-20

Z O N I N G

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

R-428 DOUGLAS K. & MARJORIE H. HALL REZONE TO C-1 POSTPONED

Mr. Hall was present regarding his request for rezoning to allow a beauty shop to be operated in his home (garage). Persons appearing and speaking in favor of approval of R-428 were

Mrs. Thelma Thornton	John Thomas
Mrs. Robert Williams	Mrs. Dale Ziglar
Mrs. _____ Smith	

Motion was made by Mr. Dierks that R-428 for rezone to District C-1 be denied. Motion was seconded by Mr. McClure for discussion. Voting "Aye": Mr. Dierks. Voting "No": Mr. McClure, Mr. Hutches and Mr. Burton. Motion did not carry and this item was postponed for one week.

SE-430 JAMES W. & HELEN C. FULLER: TO PLANNING COMMISSION  
Request for Special Exception to permit the retail sale of

flowers and plants in a District A zone on property located at 1521 85th St. N.W., Bradenton. The Planning Commission recommended denial. (Committee Report read.)

Mrs. Fuller pointed out that there were two other special exceptions within the area (private school and gift shop); that the surrounding property was palmettoes, pasture, riding stables and nurserymen, and read a letter from S. J. Lynch (Lynch's Ornamental Nursery) stating no objection to her flower shop. She submitted a list of the plants to be grown and the plans for the business, noting that there were no objections from residents and property owners in the area.

In view of the circumstances involved, and clarification of many points by Mrs. Fuller, Mr. Spagna requested that this petition be referred back to the Planning Commission for reconsideration. The Board offered no objection, and recommended that the Planning Commission review SE-430 as soon as possible.

R-429 WILLIAM K. & FRANCES MOON REZONE TO M-2 DENIED  
Request for change of zoning from District A to District M-2 for the purpose of a sheet metal business and warehousing on property located at 4902 49th Ave. E., Bradenton. The Planning Commission recommended denial. (Committee report read.) Mr. Spagna stated that twenty-four persons appeared in opposition at the public hearing held by the Planning Commission.

Motion was made by Mr. Dierks that R-429 for rezone to M-2 be denied. Motion was seconded by Mr. Hutches and carried unanimously.

R-430 HARLEY D. JOHNSON REZONE TO C-1 ADOPTED  
Request for change of zoning from District R-2 to District C-1 for uses consistent with C-1 zoning on property located at 4228 26th Street W., Bradenton. The Planning Commission recommended approval. (Committee report read.)

Mr. McClure moved for the approval of R-430 and adoption of C-1 zoning of the property. Motion was seconded by Mr. Hutches and carried unanimously (approval by 4/5ths vote; four members present).

RESOLUTION RECORDED

ZONING  
R-430

COURT REPORTER

Robert Schultz, Judge Court of Records, and Frank Schaub, State Attorney, requested emergency funds for securing services of an official court reporter, pointing out that several cases postponed or continued because of inability to obtain a court reporter - outlined serious problems in the situation in criminal court.

Motion was made by Mr. McClure that the Board grant appropriation up to \$5,000 for a six months period. Motion was seconded by Mr. Hutches and unanimously carried.

SEWAGE DISPOSAL PLANT (WEST COUNTY)  
SPANISH MAIN YACHT CLUB CONDOMINIUM

Randolph Snell, Chairman of the Manatee County Pollution Control Board, submitted recommendations that the County Commissioners consider using land in Palma Sola area west of DeSoto landing for the disposal of effluent from any plant built in the western part of the County. (Letter dated December 14, 1970.)

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(Cont'd)

The Board took no action on the recommendation.

O. E. (Bud) Randle submitted informal request from Mayor Gibbons, Town of Longboat Key, that the county proceed with legal action relative to the violation of Spanish Main Yacht Club Condominium putting effluent into the Bay, pending confirmation by the Town Commission in work session later in the day.

Motion was made by Mr. Hutches that the County Attorney be instructed to proceed with injunction against the Spanish Main for violation of Regulations on Air and Water Pollution Control (waste water treatment plant), subject to approval or ratification by the Longboat Key Town Commission. Motion was seconded by Mr. Dierks and unanimously carried.

BIDS OPENED: CRUSHED STONE, SLAG SCREENINGS

Sealed bids for furnishing requirements for materials for the Highway Department were received, opened and read as follows:

<u>B-1 Slag Screenings</u>	
<del>HOLMES COMPANY</del>	
SHANDS & BAKER	No Bid
C & M PRODUCTS	
<u>B-2 Crushed Stone &amp; Rock</u>	
HOLMES COMPANY	TAMPA COAL COMPANY
SHANDS & BAKER	No Bid

Bids were referred to the County Engineer for review and recommendation.

STATE ROAD 684 & 9TH STREET

The State Department of Transportation, by letter dated December 9, 1970, transmitted Permit No. 70-405 for the installation of a Traffic Signal at Section 13040, State Road 684, U.S. 41, Cortez Road at its intersection with 9th Street West, south of Bradenton.

BEACH EROSION PROGRAM - ANNA MARIA ISLAND

With regard to a letter from the Department of Natural Resources, dated December 11, 1970, motion was made by Mr. Hutches that the Chairman of the Board be authorized to advise the Corps of Engineers that this Board accepts the plan for beach erosion control along the shorelines of Manatee County - Anna Maria Island - on those portions outlined in work session - and assures local support. Motion was seconded by Mr. Dierks and carried unanimously.

COUNTRY CLUB ACRES, UNIT 4

The County Engineer, by letter dated December 11, 1970, advised that the work in Country Club Acres had been inspected and found to be satisfactory, and recommended acceptance for county maintenance upon the filing of final plat. (No action by the Board.)

MANATEE COUNTY UTILITIES SYSTEM

PIPE & CHEMICALS; HEAVY DUTY PUMP

BIDS ACCEPTED

Motion was made by Mr. Hutches that bid submitted by

B & H SALES	<u>6" pvc Pipe</u>	\$91.00/cft
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be accepted as recommended by Chris Angelidis, Director, Manatee County Utilities System. Motion was seconded by Mr. McClure and carried unanimously.

TABULATION RECORDED

P22-21

Motion was made by Mr. McClure that low bids on chemicals for Manatee County Utilities System be accepted as recommended by Chris Angelidis, Director. Low bids accepted are as follows:

<u>Activated Carbon</u>		
F. H. ROSS & COMPANY		\$195.00/ton delivered
<u>Aluminum Sulfate</u>		
ALLIED CHEMICAL CORP.	-ground	62.75/ton delivered
	-rice	65.75/ton delivered
<u>Copper Sulfate</u>		
JONES CHEMICALS, INC.		25.75/cwt delivered
<u>Liquid Chlorine</u>		
ALLIED CHLORINE & CHEM. PROD.		130.00 T/cyl. "
		17.92 150# cyl. "
<u>Quicklime</u>		
DIXIE LIME & STONE COMPANY		21.16 + freight (ton)

Motion was seconded by Mr. Hutches and unanimously carried.

Motion was made by Mr. McClure that the low bid on

One (1) Extra Heavy Duty Double Diaphragm Pump  
By M. D. MOODY & SONS for \$1,705.00

be accepted as recommended by MCUS Director, Chris Angelidis. Motion was seconded by Mr. Hutches and unanimously carried.

TAB RECORDED

P22-22

CONSTRUCTION TRUST FUND  
PAYMENT REQUISITIONS

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

SUNCOAST REALTY COMPANY CONSTRUCTION TRUST FUND  
Requisition No. 11D-9  
Russell & Axon \$1,539.72

Motion was seconded by Mr. Hutches and unanimously carried.

RESOLUTION RECORDED

P22-23

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

SUNCOAST REALTY COMPANY CONSTRUCTION TRUST FUND  
Requisition No. 11B-6  
Southern Line Cleaning \$12,332.11

Motion was seconded by Mr. Hutches and unanimously carried.

RESOLUTION RECORDED

P22-24

ELLENTON WATER LINE EXTENSION

Motion was made by Mr. Hutches that Russell & Axon be authorized to proceed with change order (No. 1) for relocating watermain in the business section of Ellenton between Palm Avenue and U.S. 301, Ellenton Water Line Extension Project. Motion was seconded by Mr. McClure and carried.

SEWER WORKS PROGRAM PLANNING TRUST FUND  
PAYMENT REQUISITION

Mr. McClure moved for the adoption of a Resolution authorizing payment of obligation:

SP-4  
PHASE I SEWER WORKS PROGRAM PLANNING TRUST FUND (\$700,000)  
Russell & Axon \$43,724.16

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(Cont'd)

Motion was seconded by Mr. Hutches and unanimously carried.

RESOLUTION RECORDED P22-25

ELLENTON WATER LINE EXTENSION

Motion was made by Mr. Dierks that "Notice to Proceed" with work on contract of Mechanical & Chemical Equipment Company (Project No. DHUD #WS-Fla-193) Water Main Extension to Ellenton, be executed. Motion was seconded by Mr. Hutches and carried.

Motion was made by Mr. Hutches that the Chairman be authorized to execute HUD Schedule of Amounts for Contract Payments on Water Main Extension to Ellenton Project Fla WS-193. Motion was seconded by Mr. Dierks and carried. (Labor and material costs for estimates.)

(Note: Clarification of authorization to perform engineering services, page 599, should be described as... Proceed with field surveys, revision of plans, preparation of Change Order #1 - relocate water main in business section of Ellenton between Palm Ave and the postoffice from US 301 to Cedar Street, Ellenton Water Project.)

BAYSHORE GARDENS GRAVITY SEWER LINES

Motion was made by Mr. Dierks that three weeks extension of time on contract with Southern Line Cleaning (Repair of Gravity Sewers Bay-Shore Gardens) be approved. Motion was seconded by Mr. Hutches and unanimously carried.

BUILDING DEPARTMENT - ALUMINUM CODE

Advertising for public hearing on an aluminum code was deferred pending further discussion and preparation of proposed changes in policy and procedures.

HOUSE MOVING PERMITS: MORRILL; KING

Motion was made by Mr. McClure that application of

ARTHUR MORRILL to move a building (Premoving  
From 32nd Street W. to 75th Street NW No. 17825A)

be approved. Motion was seconded by Mr. Hutches and carried.

Motion was made by Mr. Dierks that application of

CARL KING to move a building from Bee Ridge Road  
To 2816 - 7th Street East (Premoving No. 17724A)

be approved. Motion was seconded by Mr. Hutches and carried.

HIGHWAY DEPARTMENT - MATERIALS & SUPPLIES

Motion was made by Mr. McClure that the Board accept

B--ROAD MATERIALS

B-2 Crushed Stone & Slag  
HOLMES COMPANY

and reject bid (C & M Products) on Road Materials B-1, Slag Screenings and readvertise for bids, as recommended by the County Engineer. Motion was seconded by Mr. Hutches and carried.

JAIL ALTERATIONS-- BIDS ACCEPTED  
 BUDGET AMENDMENT - ITEM TO ITEM TRANSFER

Sidney Wilkinson, architect, and Sheriff Weitzenfeld were present for the purpose of discussing bids submitted on alterations to the Manatee County Jail and additional funds needed for this project.

Motion was made by Mr. McClure that an Item to Item transfer in the 1970-1971 Budget be authorized

From Contingencies	\$43,000.00	
To Jail Remodeling		\$43,000.00

and that the following bids be accepted:

<u>Plumbing Alterations @- Jail</u>	
SCOTT COLE INC.	\$32,900.00
<u>Jail Alterations</u>	
C & H WELDING	\$38,878.00

Motion was seconded by Mr. Hutches and unanimously carried.

HOUSEMOVING PERMIT ( SMITH - DEFERRED)

Jasper Dunn submitted petition from residents of Marlee Acres opposing the moving of old repaired wooden houses into the community. This was in reference to application of

J. H. SMITH to move a building from 2nd Ave. E.  
 To 18th Street Court E., Palmetto.

Mr. Burton recommended that this application be deferred for one week to give Mr. Dunn an opportunity to view the house to be moved, and after viewing to advise if there were still objections. (This particular house appeared to be in good condition and supposed to be about three years old.)

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Hutches, seconded by Mr. Dierks, the Board unanimously approved Requisitions and Warrant Lists from December 8 to December 15, 1970, and authorized Warrant Lists to December 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.

General Revenue Fund  
 Road & Bridge Fund

Manatee County Utilities System:  
 450,000 Revenue Account 30

CERTIFICATES OF CORRECTION (E & I)

Upon motion by Mr. Hutches, seconded by Mr. Dierks, the Board unanimously approved Certificates of Correction (E & I) on the 1970 Tax Roll. (Listed on page 705.)

BONDS

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

Sheriff's Department  
 Addition to U.S. Fire Insurance Co. Bond 70-50-11  
 - DAVID JOHN O'BRIEN Deputy Sheriff  
County Commissioner, District No. 2 (Correct form bond)  
 - DAN P. McCLURE Surety: Hartford Accident & Indemnity

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(Cont'd)

Moving and Alterations of Building

Bond: ROBERT E. JOHNSON & SON for Earl Feldkamp  
 Premoving No. 17670A  
 Building from 550 8th St. to 120 15th St. Ct. E.,  
 Parrish (Lots 18 & 19, English Villa)

Sheriff's Department

Deletion from U.S. Fire Insurance Company #70-50-11  
 WILLIAM BELLE MELVIN CADMUS  
 DAVID POTTER EDWARD HUNTLEY

## BILLS FOR PAYMENT - MEDICAL EXAMINERS - COMMITTEE OF 100

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

Parks & Recreation (various)	196.04
Game Time, Inc. (Girl's Club)	492.00 (P & R HUD)
Sarasota Memorial Hospital	496.89
DesChamps & Gregory, Inc. (bond)	20.00 (Constable-Beazley)
Sidney R. Wilkinson	2,637.41 (jail alt.)
Longboat Key Chamber of Commerce	2,600.00
Elections: Anna Maria Fire Pro- tective Assoc.	30.00
John Engel (Janitor)	15.00 (AMFPA)

Motion was made by Mr. Dierks that \$4,500.00 be authorized paid to  
 the Committee of 100. This represents one-half the amount requested  
 by the Committee on November 17, 1970. Motion was seconded by Mr.  
 Hutches and carried.

The County Attorney advised that the Medical Examiners are required  
 by law to perform certain duties, and these duties include examina-  
 tion of dead bodies for cremation, and it is the responsibility of  
 the counties to pay the fees for their services; however, all fees  
 associated to their duties are subject to the Board's examination as  
 to reasonableness.

Motion was made by Mr. Hutches that the following bill be approved  
 for payment:

Medical Examiners: Lehman, Foley, and Schmer, M.D.s (November)	\$1,883.97
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Motion was seconded by Mr. Dierks and carried unanimously. (Committee,  
 Mr. McClure and Mr. Dierks to review fees with pathologists.)

## JAIL ALTERATIONS: CONTRACTS EXECUTED

Motion was made by Mr. Hutches that the Chairman be authorized to  
 execute contracts for Jail Alterations in accordance with bids ac-  
 cepted December 8, 1970:

SUPERIOR AIRCONDITIONING, INC. (Heating)	\$7,415.00
WARD ELECTRIC (Electrical)	\$14,710.00

Motion was seconded by Mr. Dierks and unanimously carried.

MANATEE COUNTY COMPREHENSIVE HEALTH PLANNING  
 COUNCIL - PUBLIC HEARING ON ORDINANCE

Motion was made by Mr. Hutches that the Board hold a public hearing  
 on proposed Ordinance 71-1, providing for payment of \$3,000.00 to the  
 Manatee County Comprehensive Health Planning Council, January 5, 1971  
 at 9:00 A. M. Motion was seconded by Mr. Dierks and carried.

CORRESPONDENCE

Correspondence was read and/or acknowledged from

- 1) SENATOR SPESSARD L. HOLLAND
- 2) SECRETARY OF STATE, TOM ADAMS
- 3) CONGRESSMAN JAMES A. HALEY

Acknowledging resolution adopted by the Board regarding transfer Manatee County to Southwestern Florida Intrastate Air Quality Control Region instead of West Central Florida IAQC Region.

- 4) SHERIFF R. W. WEITZENFELD

Requesting approval extra gain time for four prisoners.

SHERIFF'S DEPARTMENT - EXTRA GAIN TIME FOR PRISONERS

Motion was made by Mr. Hutches that WILLIE FREEMAN, JOHN DOWLING, GEORGE COLLIER and ROBERT WHITE be awarded extra gain time and released from the Manatee County Jail on December 24, 1970, as recommended by Sheriff Weitzenfeld. Motion was seconded by Mr. Dierks and unanimously carried.

INSURANCE: COUNTY BUILDINGS

For the record, no bids were received on insurance against fire, lightning, extended coverage, vandalism, malicious mischief and theft to cover county-owned buildings and contents.

MEETING ADJOURNED

Upon motion, the meeting was declared adjourned.

Attest:

M. T. McInnis, Clerk

APPROVED: 9 February 1971

  
Deputy Clerk

  
Vice Chairman



CERTIFICATES OF CORRECTION (E & I)

Cont'd

Approved November 24, 1970

Tangible

- No. 50 C. J. Leyanna
- 51 Triangle Bargain Center
- 52 Giles Allen
- 53 Noel Smith
- 54 Harry A. Shive
- 55 Russell King

Approved December 1, 1970

- 56 John Griffin
- 57 Howard Miller  
Emerson, Wallace
- 58 Clark Adkins
- 59 John Schuler
- 60 Claude & Mary Swedberg
- 61 Wallace Emerson
- 62 Frame & Arel Lakeland
- 63 John Bobenia
- 64 Robert Bradley
- 65 Clarence Clodfelter
- 66 Hugh Duncan
- 67 Archie Glennon
- 68 George Kesler
- 69 Kenneth Orlop
- 70 Alfred Willett
- 71 Mr. Stoneman
- 72 Jan Grund
- 73 Hugh Douglas

Approved December 8, 1970

- 74 Anna Cahill
- 75 Arnold Kay

Approved December 15, 1970

- 76 Eaymon Dix
- 77 C. V. Hottman Est.
- 78 Mrs. Charles D. Cassady
- 79 Clyde K. or Mae Ludlum

Approved December 22, 1970

- 80 Roy McDowell
- 81 Otto E & Martha J Roberts
- 82 Al's 66 Svc
- 83 Pine Hide Away
- 84 P. Brenneman
- 85 Palmetto Texaco Svc
- 86 Colonial Mob Manor, Inc.
- 87 O. Andrus
- 88 Jan Grund

Approved January 5, 1971

- 89 Phil's Paint & Body Shop
- 90 LaVern's Beauty Shop
- 91 Frank Blount

Real Estate

- No. 34 Robert E. Wallace &  
Charlotte Kindler
- 35 Billy M. & Erma J. Aven
- 36 A. R. & Patricia A. Hynton
- 37 Norbert N. & Arden Kreisch
- 38 E. E. Dorman
- 39 Alfonso L. Dixon
- 40 Florence W. Crosby
- 41 Stuart G. & Thelma Picarro

- 42 Mrs. Leole Taylor
- 43 Lucille Miller Reese, et al
- 44 Victory Baptist Church
- 45 Egbert S. Reasoner
- 46 Dama Development Corp.
- 47 Bernard Rosenberg
- 48 Cornell B. Smith

- 49 Walter Schmio, Jr., et al
- 50 Walter Schmio, Jr., et al

- 51 Chs. R. :& Lucille Stocks/  
dale
- 52 W. C. Goodall, Jr. & Virginia
- 53 R. K. & Johce Hunsader
- 54 Robt. & Patricia Montgomery

- 55 Anna Baden L/E
- 56 Duplicate #54
- 57 Phillip & Amelia Blus
- 58 Joe R & Junita T Garcia