

JANUARY 22, 1974

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, January 22, 1974 at 9:00 A. M.

Present were Commissioners Ken Burton, Chairman
 Robert C. Hutches, Vice Chairman
 Kenneth D. Dierks

Deputy Clerk Henry E. Bourne
 County Attorney, Richard A. Hampton

Commissioners L. H. Fortson, Jr., and Dan P. McClure entered during the meeting.

The meeting was called to order by Chairman Burton.

PROJECT NO. 622

Public hearing was opened for the purpose of hearing objections to proposed improvements on

PROJECT NO. 622 13th Ave. W. from 43rd St. W. to
 45th St. W.

The Right-of-way Agent advised that there was one hundred percent participation on the petition, but Bradenton Country Club, through its attorney, Lloyd Lyday, had withdrawn its name from the petition, which reduced the percentage to 47.03. Therefore, this project does not meet the legal requirements of a participation project and will have to be terminated. Public hearing was closed.

PROJECT NO. 588

Public hearing was opened for the purpose of hearing objections to proposed special improvements on

PROJECT NO. 588 9th Ave. N.W. (Palma Sola Loop Road)
 from 67th St. N.W. to 71st St. N.W.

John Amsden objected to the cost of \$13.28 per front foot and withdrew his name from the petition. This reduced the percentage from 86.42 to 82.3, which exceeded the required 66 2/3 percent as a participation project.

Public hearing was closed. The Chairman stated that action would be deferred for one week.

(Enter Mr. McClure & Mr. Fortson)

SEAWALL: MARINELAND ADDITION (LEDBETTER)

The County Engineer submitted request for a permit to construct approximately 150 feet of seawall on the property of Selman and Mary Ledbetter in Marineland Addition Subdivision, on the east bank of the Braden River. He said plans were prepared by Mosby & Russell Eng. Assoc., Inc., and they have given all information necessary to process the application; that he believed it could be given a county permit, but will follow through if it has to go to the I.I. Board (Trustees of Internal Improvement Fund). He recommended that this permit be issued with no opposition.

Motion was made by Mr. McClure that permit be approved for a seawall to be constructed on

Lots 11 & 12, Marineland Addition Subdivision, as recorded
 in Plat Book 8, page 11 - Sec. 23, Twp. 35S., Rge 18 E.
 Property of: Selman A. and Mary G. Ledbetter

Motion was seconded by Mr. Dierks and carried unanimously.

LAUREL PARK-**DRIVEWAY PERMITS/CERTIFICATES OF OCCUPANCY (DANEHY)**

John Blue, attorney representing South Florida Builders and Developers, Inc., and Thomas F. Danehy, came before the Board regarding South Florida Builders' Permits No. 31889A, 31890A, 32061A and 32062A for construction of duplexes, and denial for driveway permits on the basis of Manatee County subdivision regulations. These permits were issued prior to the adoption of this policy.

Mr. Hutches stated that the County Attorney had advised that there was no other recourse than to approve the driveway permits as the building permit were issued and construction was begun prior to the enactment or enforcement of Driveway Permit Regulations, and he would like to see these approved.

The Chairman stated that if there were no objections the Building Department would be instructed to issue Certificates of Occupancy. There were no objections.

With reference to complaints from other residents of the area that Mr. Danehy had caused problems involving county drainage, Mr. Hutches moved that the County Attorney and the County Engineer review the situation and see what corrective action can legally be taken and make recommendation back to the Board. Motion was seconded by Mr. Dierks and carried.

COURT HOUSE EXPANSION (GAAR PROPERTY)

Bob Moon reported on continued negotiation for acquisition of the Gaar property east of the court house. Mr. Gaar is willing to hold to his agreement even though he will have to pay Murphy Oil full lease and will have to purchase tanks and equipment, which he is not willing to do unless county will in turn purchase from him. Cost of the tanks and equipment is \$2500.00. The Board agreed to take this under advisement and make a decision at the next regular meeting.

SANITARY SEWERS; PART C, SECTION 1

Herb Hayes, Consulting Engineer Russell & Axon, recommended approval of proposal by Giannetti Brothers and Lanzo Construction Company for a modified method for backfilling and maintaining trenches under areas to be paved in Part "C", Section 1, Manatee County Sanitary Sewers. This proposal was outlined in a letter from the contractors to the Consulting Engineers under date of January 16, 1974. The contractor would provide a two-year maintenance bond covering the street replacement and just prior to expiration of the bond, the streets to be inspected by Contractor, Engineer and Owner and any areas indicating further settlement will be resurfaced.

Motion was made by Mr. Dierks that the revised proposal on modified method for backfilling and maintaining trenches, etc., on the project as outlined be approved as recommended by the Consulting Engineers. Motion was seconded by Mr. Hutches and carried unanimously. Note: Motion included instruction to the Consulting Engineers to prepare the appropriate change order.

AIR & WATER POLLUTION CONTROL CODE - AMENDMENTS

Motion was made by Mr. McClure that amendments to the Air and Water Pollution Control Code be approved as recommended and outlined and appropriate resolution be adopted. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED U24-194

CONSULTANTS: ENGINEERING & ENVIRONMENTAL D R I

Mr. McClure reported on interviews with engineering and environmental firms with the thought in mind of having a professional (who has expertise in a variety of engineering fields) to be available to review

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the Developments of Regional Impact; to be available when the Planning Commission has public hearing on February 20, 1974 on Belcher Oil Company petition, with recommendation that the County Commissioners meet with the Planning Commission on that day (joint meeting) so all will have the opportunity to have benefit of answers to questions to the consultants. He said at least three sessions with the consultants could be anticipated.

O. E. (Bud) Randle advised that Associated Water and Air Resources Engineers, Inc., consulting engineering firm out of Nashville, Tennessee, qualifies in the environmental field, both in air and water, and estimated fee for acting as consultants to Manatee County was between \$3000 and \$5000. Dr. F. G. Ziegler, a member of the staff, was interviewed and he said the fee should be nearer to \$3000.00 plus or minus \$500.00.

Motion was made by Mr. McClure that the consulting firm of Associated Water and Air Resources Engineers, Inc., Nashville, Tennessee, be retained by the County to review the Belcher Oil proposal and that suitable contract be presented to the Board for approval. Motion was seconded by Mr. Dierks and carried unanimously.

RECESS (Special meeting Port Authority)

After a short recess the meeting was reconvened with all members present.

MANATEE HIGH SCHOOL - STUDENT PARKING

Dan Kearney, attorney, and Roy Fairbrother, present on behalf of numerous residents in the Manatee High School area, outlined problems of students parking automobiles on private property, blocking drives, undisciplined and undesirable activities, etc. Their purpose in appearing before the Board was to ask that the Board pledge its cooperation to work with other governmental bodies in resolving the problem. It was their intention to meet with the school administrative officials and then request a special meeting with the School Board to come up with some definite plans for parking facilities, control of students, on and off campus, elimination of trash and conduct nuisances, blocking of driveways and parking on private property.

Dr. Bill Bashaw, Superintendent of Schools, outlined two proposals that he intended to submit to the School Board with recommendation that the School Board take the responsibility and request any help that can be given by the City of Bradenton and the Board of County Commissioners.

Mr. McClure said if there were no objections he would plan to attend the School Board meeting when this subject is on the Agenda. There were no objections. Mayor A. K. Leach said this was basically a school problem but the City of Bradenton would cooperate.

RECESS

After a short recess, the Board reconvened with all members present.

ANIMALS - CONTROL OF RABIES

Dr. Sam Simpson and Bill Gardiner submitted proposed rules and regulations for the control of rabies, control of cats and dogs, etc.

Mr. Fortson recommended that consideration be given toward compensation to veterinarians called out to take care of large animals injured in accidents on highways. Dr. Simpson added that some compensation should also be provided for removal and burial.

Motion was made by Mr. Dierks that public hearing on the Proposed Rules and Regulations for the Control of Rabies, etc., be held on

March 5, 1974 and so advertised. Motion was seconded by Mr. McClure and carried unanimously.

TRAFFIC SIGNAL - WARM GLOW LIGHT UNIT

Dr. Gordon Ries demonstrated his invention, the "Warm-Glow Light Unit" which he hoped would be utilized in traffic light installations as well as many other market applications. He requested the Board's endorsement and aid in arranging presentation to the State Safety Council, the Governor and his staff.

Motion was made by Mr. McClure that recommendation be made to the appropriate officials that the State Safety Council and the Department of Transportation consider granting request for demonstration of the "Warm Glow Unit" and give further study with a view toward a trial installation. Motion was seconded by Mr. Dierks and carried unanimously.

COMPREHENSIVE PLAN

Mrs. Hilda Quy presented a resolution requesting that Manatee County Planning Commission and the Board of County Commissioners consider no more requests for rezoning to higher density until after the Comprehensive Plan has been approved. The Resolution had been approved by Palma Sola Park Association, Izaak Walton League, Bay Colony Propertyowners Association, Village Green, Condominiums I & II, Oneco Community Association, Flamingo Cay Association, Village Green of Bradenton Homeowners Association, San Remo Shores, Inc.

The Chairman stated that a decision would be made by the Board in the very near future. (Copies of the resolution to be distributed to members of the Planning Commission.)

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Hutches, seconded by Mr. Fortson, the Board unanimously approved Requisitions and Warrant Lists from January 15 to January 22, 1974 and authorized Warrant Lists to January 29, 1974, 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. (Listed January 29, 1974)

CERTIFICATES OF CORRECTION

Upon motion by Mr. Hutches, seconded by Mr. Dierks, the Board unanimously approved Certificates of Correction (E & I) on the current tax roll as submitted by the Tax Assessor. (See page 490 B)

REGIONAL MANPOWER PLANNING BOARD

Motion was made by Mr. McClure to accept the recommendations by Mr. Fortson to reconsider appointments to the Regional Manpower Planning Board prior to receiving more specific information on representation, and that the following persons be recommended to the Governor of the State of Florida for appointment:

Raymond Lee (School Board	-Agency Sector
Mrs. Bernadine McKinney (Teacher's Aid)	- Client Sector
Robert C. Hutches (County Commissioner)	- Public Sector

Motion was seconded by Mr. Dierks and unanimously carried.

BILLS FOR PAYMENT

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

BREDGEMAN ELECTRIC	\$20.00
Refund for duplicate payment on electrical permit #6936	

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STATE ROAD NO. 45 - MCUS PERMIT

Mr. Hutches moved for the adoption of a Resolution authorizing application to the State Department of Transportation for a Use Permit for Manatee County Utilities System to construct and maintain a utility line within the right of way of State Road No. 45, Section No. 13010. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED U24-195

CONSTRUCTION TRUST FUNDS

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

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-56

Thomas A. Howze	\$570.00
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and to accept MCUS easement from Mr. Howze.

Motion was seconded by Mr. Fortson and unanimously carried.

RESOLUTION RECORDED U24-196

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

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-57

Edward A. Burris & Anne M. Burriss	\$ 80.00
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Eldon R. Lindsey	685.50
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Clayton Construction Company	133,973.27
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and to accept MCUS easements from Mr. & Mrs. Burris and E.R. Lindsey.

Motion was seconded by Mr. Hutches and unanimously carried.

RESOLUTION RECORDED U24-197

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

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 D-3

Russell & Axon	\$40,502.69
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Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED U24-198

13TH STREET EAST - PORTION VACATED

Public hearing was held on August 21, 1973 on petition of Tropicana Products, Inc., (see also August 28, 1973) to vacate a portion of 13th Street East, between 19th Avenue E. and 17th Avenue E. Action was deferred pending agreement concerning easement for Manatee County Utilities System. The County Attorney advised that the water line and tap now located and easement submitted, so Board may consider action on the petition.

Motion was made by Mr. Hutches that Resolution be adopted granting the petition of Tropicana Products, Inc., closing that portion of 13th Street East, between the North R/W of 18th Avenue East* and the South R/W of 17th Avenue East (36-34-17), as described in said petition, and that the easement deed from Tropicana Products, Inc., be accepted for the purpose of maintaining a water main located within said easement. (Reverter clause.) Motion was seconded by Mr. Fortson and unanimously carried.

RESOLUTION RECORDED U24-199

ZONING

R-609 GERALD J. LUNDE C-1 TO C-2

Reference change of zoning from C-1 to C-2 on property located at 1319 - 57th Ave. E., Bradenton (approved 8/28/73; resolution adopted 11/6/73).

*Note error

Mr. Dierks moved for the adoption of a Resolution determining that a deed for seventeen (17) feet of right-of-way along the south property line, which requirement was made a part of the resolution adopted November 6, 1973, is not needed at the present time for County purposes and amending Rezone Resolution No. R-609 by striking the following language therefrom:

"It is understood that petitioner will deed r/w (17 feet) along the south property line in order to comply with Major Thoroughfare Plan."

Motion was seconded by Mr. Hutches and unanimously carried.

RESOLUTION RECORDED ZONING R-609

PARRISH IMPROVEMENT ASSOCIATION, INC.

Motion was made by Mr. Hutches that the appropriate county officers be authorized to execute Agreement between PARRISH IMPROVEMENT ASSOCIATION, INC., and MANATEE COUNTY, FLORIDA, for development of land, owned by the Association, for public park purposes, providing for county to construct a ball field, shell basketball court, playground and picnic tables; Association will construct building on the property; facilities to be available for use of the general public without charge, any rules or regulations adopted by Association subject to approval by Park, Beach and Recreation Board; Association to maintain property. The term of the Agreement shall be for a term of ten (10) years commencing with 1 January 1974 and may be extended by mutual agreement.

Motion was seconded by Mr. Dierks and unanimously carried.

AGREEMENT RECORDED U24-200

FIRE LANE ORDINANCE

Copies of the proposed Fire Lane Ordinance were distributed to members of the Board for study and discussion at work session the following Thursday.

PARKS & RECREATION

Motion was made by Mr. Fortson to advertise for bids to be received on small picnic shelters for the Palma Sola Causeway Recreation Area, said bids to be opened 19 February 1974. Motion was seconded by Mr. Hutches and carried unanimously.

TRAVEL: STATE ASSOCIATION OF COUNTY COMMISSIONERS

Upon motion by Mr. Dierks, seconded by Mr. Hutches, members of the Board were authorized to attend the Annual midyear conference of the State Association of County Commissioners in Panama City Beach, Florida, March 3, 4, 5, 1974.

TAMPA BAY REGIONAL PLANNING COUNCIL

Upon motion by Mr. Fortson, seconded by Mr. Dierks, the Board unanimously approved request of Tampa Bay Regional Planning Council for payment of grant in a lump sum, instead of monthly payments as per contract, if sufficient funds are available for this purpose.

STATE ROAD 683 & 70 (ONECO ROAD); STATE ROAD 683 & 63RD AVE. (SAUNDERS ROAD)

The State Department of Transportation advised by letter dated 9 January 1974 that traffic signal installations had been approved for State Roads 683 and 70 (Oneco Road) and State Road 683 and 63rd Avenue (Saunders Road), plans submitted and permits issued.

MEETING ADJOURNED

There being no further business, the meeting was declared adjourned.

Attest: M. T. McInnis, Clerk

APPROVED: 18 June 1974


Deputy Clerk


Chairman