

JANUARY 29, 1974

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, January 29, 1974 at 9:07 A. M.

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

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

Commissioner Dan P. McClure was not present.

The meeting was called to order by Chairman Burton.

PROJECT NO. 588

Mr. Fortson said he had discussed programming in sewer lines before construction of Road Improvement Project No. 588 with the Consulting Engineers and negotiation was being made with the successful bidder to start in this location (Part D). Public hearing for objections on this project was held on the 22nd day of January 1974.

Mr. Fortson moved for the adoption of a Resolution approving special improvements on

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

and authorizing preparation of a Preliminary Special Assessment Roll for public hearing on the 19th day of February 1974. Motion was seconded by Mr. Hutches and unanimously carried.

RESOLUTION RECORDED

U24-201

MOTOR VEHICLE INSPECTION STATION SITE

Bob Moon, Right-of-way agent, reported on negotiation with the owner of property selected as a site for the new Motor Vehicle Inspection Station, that he had agreed to accept the appraisal of \$25,000.00; however, agreement had not yet been executed. Mr. Dierks recommended that the property owner be given one more week and then go into condemnation proceedings for acquisition of the property.

COURT HOUSE EXPANSION

Motion was made by Mr. Dierks that Bob Moon be authorized to continue negotiations to purchase property east of the Court House, for county administrative purposes, from C. L. Chaires \$33,000; Bill Gaar \$111,500 (which includes \$2500 for equipment); Dr. King \$96,075 and write agreements for 90 days and submit to the attorneys. Motion was seconded by Mr. Fortson and carried unanimously.

SAMOSSET HEIGHTS AND SOUTHLAND TERRACE SUBDIVISIONS

Public hearing was opened to consider vacation of portions of the plats of Samoset Heights Subdivision and Southland Terrace Subdivision, on petition by the Board of County Commissioners, on which the Manatee County Maintenance Shop Complex is located.

There were no objections, and public hearing was closed. Mr. Hutches moved for the adoption of a Resolution vacating Samoset Heights in it's entirety and all of the revised plat of Southland Terrace except that portion of Twelfth Street Court East, all as described in county-initiated petition. Motion was seconded by Mr. Fortson and unanimously carried.

RESOLUTION RECORDED

U24-202

MILLER, EVA

On behalf of the Board of County Commissioners, Mr. Fortson made a presentation to Mrs. Eva Miller, who was retiring from public service, for her outstanding service to Manatee County. Mrs. Miller had submitted her resignation as Director of Manatee County Welfare Department and Personnel Director, effective January 31, 1974.

SPANISH PARK SUBDIVISION, FIRST ADDITION

Bill Baird, Acting County Engineer, confirmed certification by the engineer of record, Roberts & Zoller, for Spanish Park subdivision, First Addition, that all improvements in said subdivision had been completed in accordance with Manatee County Subdivision Regulations, and that the bond requirements, stipulated when the final plat was approved on December 11, 1973, were no longer necessary.

Mr. Fortson recommended that the Director of Manatee County Utilities System review all plans and join in certification of completion of improvements (pertaining to sewage collection and water distribution systems) in subdivisions or other types of developments where bonds are required, and that the engineer of record be responsible for furnishing written approval from both the County Engineer and the Director prior to release or waiver of any bonds.

Motion was made by Mr. Fortson that bond requirements (\$152,063.27) on completion of improvements in Spanish Park Subdivision, First Addition, be waived and that the plat be released for recording. Motion was seconded by Mr. Dierks and unanimously carried.

COUNTY :ENGINEER (DON LOVEJOY)

Motion was made by Mr. Hutches that Donald Lovejoy be granted leave of absence as Manatee County Engineer until February 17, 1974. Motion was seconded by Mr. Dierks and carried unanimously.

ACTING COUNTY ENGINEER

Motion was made by Mr. Hutches that Bill Baird be appointed Acting County Engineer and Ken Foster as Assistant during this interim period, (see previous motion). Motion was seconded by Mr. Fortson and carried unanimously.

WATER TRANSMISSION MAINS

Motion was made by Mr. Hutches that the appropriate officers of the county be authorized to execute application to the Department of Health and Rehabilitative Services, Division of Health, for approval of plans and specifications for Public Water Supply System:

- 1) Along SCL R.R. from 63rd Ave. E., north to 57th Ave. and from 63rd Ave. E., south to County Line;
- 2) To Sarasota County and other transmission mains to reinforce Manatee County System via 45th St., 77th Ave., 69th Ave., Bayshore Gardens Parkway.

Motion was seconded by Mr. Dierks and carried unanimously.

SEWER PROJECT, PART C, SECTION I

Herb Hayes outlined proposed change order to the contract with Giannetti and Lanzo Construction Company, Project No. 6681-8b, Section 1, Part C, Gravity Sewers and Force Main. He said this change order was due to difficulty in obtaining an easement and the easiest solution was to re-route the sewer line, with net additions in the amount of \$3,630.00; however, there is a saving of \$3,417.50 which comes off the items listed in the contract (deletions on final).

Motion was made by Mr. Hutches that Change Order No. 1 (\$3,630.00 addition to contract) on Giannetti and Lanzo Construction Contract be approved and executed as outlined by the Consulting Engineer.

JANUARY 29, 1974

(Cont'd)

Motion was seconded by Mr. Dierks and carried unanimously.

701 PROGRAM

Art Fischer, Planning Director, advised of higher priority 701 Program Management Studies if the Commission wished to file application with the Department of Community Affairs; however, application can be filed for continuation of the regular planning program on lower priority. Action was deferred for one week.

LANDFILL OPERATIONS - M/JOHNSON ROAD NUISANCE

Mr. Hutches referred to a problem area on Morgan Johnson Road where "clean" trash is being dumped into pits, resulting in obnoxious odors and traffic and noise nuisance from trucks, also dust problems caused by heavy equipment and increased traffic on roads not constructed for other than normal automobile and light traffic. He submitted petition from residents of the area requesting the County to close the landfill on the Finger property south of State Road 64 and west of Morgan Johnson Road.

He requested that (1) research be made to determine if the County can stop this type of landfill operation in developed areas and (2) instruct the county attorney to recommend whether or not to file an appeal in the case where the County Judge had ruled in favor of the defendant where county had filed against illegal junkyard operation.

INSURANCE

Motion was made by Mr. Dierks that the Chairman be authorized to execute endorsement rejecting the Uninsured Motorist Coverage on county drivers and operators (B.I.P.D., Des Champs & Gregory, as agents of The Home Indemnity Company). They are covered under Workmen's Compensation Insurance. Motion was seconded by Mr. Hutches and carried unanimously.

U.S. 41 - GREEN BRIDGE RELOCATION

J. Jones expressed concern of owners of businesses on U. S. 41 (south) and presented a petition that the new (Green) bridge be located at 14th Street West instead of 9th Street West, as approved by the cities.

He was advised that the Florida Department of Transportation represent would be holding a meeting in Commission Chambers at 2:00 p.m., February 5, 1974 concerning local matters and possibly U.S. 41 could be discussed at that time.

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Hutches, seconded by Mr. Dierks, the Board unanimously approved Requisitions and Warrant Lists from January 22 to January 29, 1974 and authorized Warrant Lists to February 5, 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 page

CONSULTANTS: ENGINEERING & ENVIRONMENTAL D R I

O. E. (Bud) Randle referred to proposal that Associated Water and Air Resources Engineers, Inc., be retained as Consulting Engineers to review request from Belcher Oil Company for location of off-shore tanker berth and refining facility at Port Manatee.

Motion was made by Mr. Fortson that the letter from Associated Water and Air Resources Engineers, Inc., dated January 25, 1974, outlining services to be performed for an estimated cost of \$3,570.00, be approved and accepted as a contract and executed by the Chairman. Motion was seconded by Mr. Hutches and carried unanimously.

CONTRACT RECORDED

U24-203

BILLS FOR PAYMENT

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

National Association of County Officials	\$608.00
Alan Brice	565.00

STATE TUBERCULOSIS HOSPITAL

Upon motion by Mr. Hutches, seconded by Mr. Fortson, the Board un-
animously approved application of ALVIN INGRAM for admission to the
State Tuberculosis (A. G. Holley) Hospital.

CERTIFICATES OF CORRECTION (E & I)

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

HIGHWAY DEPARTMENT - AIR CONDITIONING

Motion was made by Mr. Dierks that the Board declare an emergency
in connection with heating and air conditioning problems at the County
Engineering-Highway Department and that bids be opened on new equip-
ment. Motion was seconded by Mr. Hutches and carried unanimously.

STATE LOAN FUNDS (SEWER PROGRAM)

Mr. Dierks moved for the adoption of a Resolution authorizing the
Chairman of the Board to execute Draw Request Forms directed to the
Department of Pollution Control of the State of Florida requesting
funds from the Interim Loan Agreement (Manatee County Sewer Program)
without formal approval of each item by said Board. Motion was second-
ed by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED U24-204

MOSQUITO CONTROL DISTRICT

CONVEYANCE OF PROPERTY FROM COUNTY - DEED EXECUTED

Mr. Dierks moved for the adoption of a Resolution authorizing con-
veyance of certain county property to the Manatee County Mosquito
Control District, said property being located in Section 11, Town-
ship 34 South, Range 17 East. Motion was seconded by Mr. Hutches
and carried unanimously. Motion included authorization for the
deed to be executed by the appropriate county officers and delivered
to the Mosquito Control District.

RESOLUTION RECORDED U24-205

BRADEN RIVER EAST (A.K.A. GATEWAY EAST)

CONTRACT: SOUTHERN GULF UTILITIES, INC. (MCUS)

The County Attorney submitted contract for the purchase of real
property on Braden River East (adjacent to Gateway East) from Sou-
thern Gulf Utilities, Inc., formerly Ecological Utilities, Inc.,
for \$18,300.00, for Manatee County Utilities System.

Motion was made by Mr. Hutches that contract be executed with Sou-
thern Gulf Utilities, Inc., for the purchase of 5.12 acres for
\$18,300.00 to be used by Manatee County Utilities System. Motion
was seconded by Mr. Fortson and carried unanimously.

CONTRACT RECORDED U24-206

WHITFIELD ZONING DISTRICT

RE: RISENFELD LITIGATION - SETTLEMENT

The County Attorney submitted proposed settlement agreement in con-
nection with litigation suit Risenfeld vs Whitfield Zoning District
and Manatee County, which basically agrees that this particular
property is within the Whitfield Zoning District (recognized as
being properly constituted and attack on existence will be dropped)
and under its supervision and control; no objection on the part of
Manatee County to them proceeding with the project as they originally
planned and as the laws of Manatee County would have allowed them to

JANUARY 29, 1974

(Cont'd)

do in November, 1972.

Motion was made by Mr. Dierks that the settlement agreement be approved subject to the approval and signing of the agreement by the entire Whitfield Zoning Board. Motion was seconded by Mr. Hutches and unanimously carried.

COUNTY DEPOSITORY

Motion was made by Mr. Fortson that Longboat Key Bank be designated as a depository for Manatee County funds and the appropriate approval form authorized executed. Motion was seconded by Mr. Hutches and carried unanimously.

ZONING

R-610 Hampton, Ray L.

The Board deferred action on conveying right-of-way back to the petitioners and/or correction of error, if any, in the legal description of said right-of-way.

MANATEE COUNTY UTILITIES SYSTEM

RE: AUDITOR'S CONTRACT - GRANT AGREEMENT

The Board deferred action on execution of contract with Smoak, Davis and Nixon as CPA to audit on Project No. WS-Fla-216 (Grant Agreement).

CONSTRUCTION TRUST FUNDS

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

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 D-37

Goodrich & Hampton

\$ 700.00

Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

U24-207

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

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-58

Florence H. Edbrooke (as Trustee) \$ 100.00

Carl E. Widell & Son 208,558.73

Lee Construction Company 115,200.11

Woodruff & Sons, Inc. 191,364.21

and for the acceptance of MCUS easement from Florence H. Edbrooke. Motion was seconded by Mr. Fortson and unanimously carried.

RESOLUTION RECORDED

U24-208

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

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 B-2

MCUS General Control Fund

\$ 1,557.50

Motion was seconded by Mr. Dierks, and unanimously carried.

RESOLUTION RECORDED

U24-209

HIGHWAY/ENGINEERING DEPARTMENT

Emergency bids on air conditioning/heating equipment to be installed at the Highway-Engineering Department were opened as follows:

Bradenton Heating & Cooling	\$3,600.00
Gulf Refrigeration	3,674.00
Lowe, Inc.	3,300.00

It was pointed out that the apparent low bid does not include high voltage wiring and there was no mention on the two other bids. The bids were referred to Don Everett and Martin Williams for review and recommendation.

CHAMBER OF COMMERCE WEEK

Motion was made by Mr. Fortson that Resolution be adopted designating the week of February 4, 1974 as "CHAMBER OF COMMERCE WEEK" in accordance with request by the Manatee County Chamber of Commerce. Motion was seconded by Mr. Dierks and carried unanimously.

PROCLAMATION RECORDED U24-210

BASEBALL HALL OF FAME

Mr. Fortson advised that he had been requested to bring to the attention of the Board that the Baseball Hall of Fame dinners had previously been funded by the City of Bradenton, by individuals and by the Chamber of Commerce with question if the County can help fund this.

It was recommended that Mr. Fortson discuss the Baseball Hall of Fame dinner fund status with the Chamber of Commerce committee for this event and make recommendation to the Board at the next regular meeting.

SUBDIVISION REGULATIONS

It was reported that the committee was still working with realtors and other interested parties on proposed amendment to Subdivision Regulations and recommendations would be submitted to the Board at next regular meeting.

WARRANT LISTS

Road & Bridge Fund	11859 - 11868
General Revenue Fund	30778 - 30800
Library	622 - 630
Library Reserve	373-374; 380-381
Courthouse I & S	45 - 48
Courthouse I & S Res.	420 - 423
Hospital I & S	83-84; 90-93
SCORE	301 - 303
Revenue Sharing	421 - 422
Clearing Account	1 - 444
Manatee County Utilities System:	
24.4 Sewer Revenue	107 - 109
13.5 Revenue Account	3636 - 3650
3,485 Revenue Account	4849 - 4853
1.65 Revenue Account	992 - 998
General Control	7871 - 8034
24.4 Sewer R & R	109
13.5 R & R	159
3.485 R & R	143
1.65 R & R	146
450,000 R & R	119 (333-335 void/
Holmes Beach Sewer Project	336 (to close account)

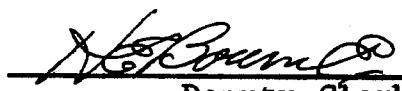
MEETING ADJOURNED

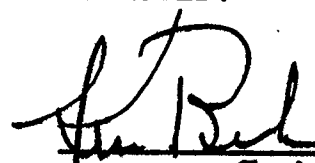
There being no further business, the meeting was declared adjourned.

Attest:

M. T. McInnis, Clerk

APPROVED: 18 June 1974


Deputy Clerk


Chairman