

FEBRUARY 26, 1974

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the court house in Bradenton, Florida, Tuesday, February 26, 1974 at 9:05 A. M.

Present were Commissioners    Ken Burton, Chairman  
    Dan P. McClure  
    L. H. Fortson, Jr.  
    Kenneth D. Dierks

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

Vice Chairman Robert C. Hutches was not present.

The meeting was called to order by Chairman Burton.

ORDINANCE - FIRE LANES - NO. 74-1

Public Hearing was opened for the purpose of considering Ordinance No. 74-2, Providing for the designation of Fire Lanes within the unincorporated area(s) of Manatee County.

The County Attorney read the proposed ordinance. There were no objections, and the Chairman declared the Public Hearing closed.

Mr. Dierks moved for the approval and adoption of the Ordinance as read with correction that the Ordinance be designated as

ORDINANCE NO. 74-1

AN ORDINANCE OF MANATEE COUNTY, FLORIDA PROVIDING A METHOD FOR DESIGNATION OF FIRE LANES IN C-1, C-2, M-1 and M-2 ZONING DISTRICTS WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; PROVIDING THAT ACCESS SHALL BE MADE TO FIRE HYDRANTS ADJACENT TO FIRE LANES; PROVIDING THAT OWNERS OF PROPERTY SHALL PROVIDE SIGNS DESIGNATING FIRE LANE ON THEIR PROPERTY; PROVIDING THAT NO VEHICLE SHALL BE PARKED IN A FIRE LANE OR WITHIN FIFTEEN (15) FEET OF A FIRE HYDRANT ADJACENT TO A FIRE LANE; PROVIDING FOR NOTIFICATION BEFORE ALTERATION OR REMOVAL OF FIRE LANE; PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE.

Motion was seconded by Mr. McClure and carried unanimously.

ORDINANCE RECORDED

V-9

It was suggested that copies of the Ordinance be provided the Chiefs of the various Fire Districts when approved by the Secretary of State so they may police the fire lanes for a period of time and caution people that parking of vehicles in designated lanes prohibited.

ORDINANCE NO. 74-2    (SUBDIVISION REGULATIONS)

Public hearing was continued on Subdivision Regulations, Ordinance No. 74-2, previously designated as Ordinance No. 74-1.

Those sections of the Ordinance on which minor changes had been recommended were read by the County Attorney. There were questions by English DesChamps and discussion regarding provisions of Section 2.

Motion to advertise for consideration of Section 2, re-written, was withdrawn in favor of further discussion by the committee in work session the following Thursday, February 28, 1974, after Port Authority meeting.

The Public Hearing was declared closed by the Chairman.

## PARKS &amp; RECREATION: BID ON PICNIC SHELTERS

Motion was made by Mr. McClure to accept the bid of

DOVE BROTHERS

To construct ten (10) Picnic Shelters  
at Palma Sola Recreation Area, Highway 64 \$11,888.00

as recommended by the Director of Park and Recreation Department.

Motion was seconded by Mr. Dierks and carried unanimously.

## HIGHWAY DEPARTMENT - BIDS ON ASPHALT

Motion was made by Mr. McClure that the Highway Department be authorized to advertise for bids on asphaltic materials, with escalator clause, to be opened March 12, 1974. (Annual bids for Asphalt: A-2, A-3, A-4, A-5 and A-6 cancellation by Warren Brothers Company 2/7/74 because of increase in price from suppliers.) Motion was seconded by Mr. Fortson and carried unanimously.

## STATE ROADS - FIVE YEAR ROAD PROGRAM: DEPARTMENT OF TRANSPORTATION

Mr. Dierks moved for the adoption of a Resolution requesting the State Department of Transportation to use Manatee County's Secondary Road Funds in accordance with priorities designated on plan of work for construction and maintenance of roads and streets within its jurisdiction for the five-year period 1974-1979 and including certain projects in the annual budget 1974-75. Motion was seconded by Mr. McClure and carried unanimously.

RESOLUTION RECORDED

V-10

## MANATEE COUNTY UTILITIES SYSTEM

## BID: MAILER/INSERTER

Motion was made by Mr. Dierks to accept bid of

PITNEY-BOWES (Model 3144) \$13,666.00  
Insertter/Mailing Machine for Manatee County Utilities System.

as recommended by Chris Angelidis, Director. Motion was seconded by Mr. McClure and carried unanimously.

## MANATEE COUNTY UTILITIES SYSTEM

## BIDS: ELECTRIC BRIDGE CRANE

Chris Angelidis submitted quotations on a 5-ton electric bridge crane, necessary for the expansion of the Water Treatment Plant. He explained that was work that should have been done in 1965, included in original design and specifications by the Engineers. Bids were from

MORGAN'S WELDING SERVICE	\$14,214.20
DEANE MACHINE, INC.	16,711.00
C & H WELDING	No bid

and he recommended acceptance of the bid submitted by Morgan's Welding Service.

Motion was made by Mr. McClure that the bid of

MORGAN'S WELDING SERVICE \$14,214.20  
5-ton Electric Bridge Crane for  
Manatee County Utilities System, Water Treatment Plant

subject to approval of bond, and that the proposal be approved and executed to serve as contract. Motion was seconded by Mr. Fortson and carried unanimously.

RECORDED

V-11

## MANATEE COUNTY UTILITIES SYSTEM

## WATER TANK - PORT MANATEE; CORTEZ ROAD

Chris Angelidis submitted quotations on painting water tanks on Cortez

Road and Port Manatee from

DIXIE STEEPLEJACK \$9200.00 (DISCO)  
 which was approximately \$8,000.00 less than that  
 submitted by  
 AMERICAN TANK & TOWER

and recommended acceptance of bid from DISCO. He said this includes installation of traps on the tanks that will prevent anyone from writing or defacing these structures.

Motion was made by Mr. McClure that the bid of

DIXIE STEEPLEJACK (DISCO) \$9200.00  
 Paint water tanks Cortez Road and Port Manatee

be approved and accepted, together with performance bond and insurance furnished by DesChamps and Gregory. (Execution of proposal to serve as contract). Motion was seconded by Mr. Dierks and carried unanimously.

RECORDED

V-12

#### MANATEE COUNTY UTILITIES SYSTEM

##### BIDS: TRUCKS

Action was deferred on request by Mr. Angelidis to advertise for bids to be received on two compact-type pickup trucks and one panel truck, with suggestion that he confer with Martin Williams as to specifications.

##### AMENDMENT TO PLUMBING CODE

Proposed Amendment to the Manatee County Plumbing Code was outlined by the County Attorney. Motion was made by Mr. McClure that Public Hearing be held by the Board on March 19, 1974 and so advertised. Motion was seconded by Mr. Fortson and carried.

##### SHORELANDS SUBDIVISION

Mr. Fortson referred to problems in Shorelands Subdivision where septic presently used and the area is very poorly drained and no sewer lines projected into this area. He questioned if building permits should be restricted because of these problems.

The Director of Manatee County Utilities System advised that this area had been reviewed by the Engineers and change order being prepared to project sewer lines into the area, plus other areas in northwest (C-1, C-2 and D); that it has been designed and the costs within capabilities of the Bond Issue. He explained that certain sections had been deleted for various reasons but allowances made in each bond issue for these changes.

##### MCUS - BIDS ON TRUCKS

Motion was made by Mr. McClure that the Director of Manatee County Utilities System be authorized to advertise for bids to be received on two economy (compact) pickup trucks and one panel truck and that bids be opened March 12, 1974. Motion was seconded by Mr. Dierks and carried unanimously.

##### SW COUNTY POLLUTION CONTROL PROGRAM (ANALYSIS-DPC)

Motion was made by Mr. McClure that the Chairman be authorized to execute reports - Infiltration/Inflow Analysis for Manatee County to Maintain PL92-500 Grant Eligibility C-120501010, Project No. 6681-4, (proposed Pump Station and Force Main to serve Part D) - and forward to the Department of Pollution Control. Mr. Hayes explained this is requirement by EPA to maintain eligibility. Motion was seconded by Mr. Fortson and carried unanimously.

## BOOSTER STATION IMPROVEMENTS - ELWOOD PARK

Motion was made by Mr. McClure that the appropriate county officers 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:

Section I - Elwood Park Booster Station Improvements

Section II - Elwood Park Ground Storage

Motion was seconded by Mr. Dierks and carried unanimously.

## CONSTRUCTION TRUST FUND

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

## WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 D-6

Russell & Axon

\$12,769.20

Motion was seconded by Mr. Fortson and carried unanimously.

RESOLUTION RECORDED

V24-13

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

## WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 B-6

W-Q Enterprises, Inc.

\$279,300.00

(Acquisition land adjacent MCUS Water Treatment Plant/  
Reservoir)

Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED

V24-14

## STATE ROAD 684 &amp; 45 (MCUS PERMIT)

Mr. McClure moved for the adoption of a Resolution authorizing execution of application to the State Department of Transportation for Use Permit to Manatee County Utilities System to construct, operate and maintain utility sanitary sewer system within the right-of-way of State Road 684 and State Road 45. Motion was seconded by Mr. Fortson and carried unanimously.

RESOLUTION RECORDED

V24-15

## ZONING

Art Fischer, Planning Director, advised that

R-658 HAROLD S. SUTTON, TRUSTEE

and

R-699 MARSHALL W. DeSEAR

postponed from January 30, 1974, scheduled for Agenda March 5, 1974, had been rescheduled for the Agenda March 12, 1974 when all members of the Board would be present. (Only quorum to be present March 5.)

He submitted application of

DAVID PEREZ

Earthmoving Permit for a 2-acre surface lake on a 10-acre parcel, 4206 - 34th Avenue E. Soil to be removed from property. Approved by State (nemotode clearance) and County Engineer as to road conditions for truck traffic.

## DUMPING - MORGAN JOHNSON ROAD AREA

Mr. Fischer reported that he had met with a group of residents of the area of Morgan Johnson Road and 18th Avenue East, who had complained the previous week on dumping operations on the "Babson" pit, and Mr. Rowe, the operator. The complaint was about traffic, noise

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(Cont'd)

and hours of operation and the fact that debris was falling from the trucks and being blown over the roads and onto private property. Mr. Rowe had agreed to close a road off 18th Avenue E. and only enter into his property from the Morgan Johnson Road, but no way to enforce operational hours under zoning laws unless able to prove nuisance. He said to the best of his knowledge and belief there was no permit for earthmoving for the excavation and soil being removed from the area unless there was some grandfather clause for the excavation being continued by others after the county stopped excavating (from the site to obtain road materials and fill). He could find no permit to the county for excavation during operations in 1965 to 1971, although required by the Zoning Ordinance.

Mr. Rowe was present and outlined his plan for clearing the pit(s) and reclamation of the lake, etc.

Motion was made by Mr. McClure that the County Attorney be instructed to research this situation to determine if there was illegal earthmoving operation and hauling of dirt from the premises. Motion was seconded by Mr. Dierks and carried unanimously. (County Attorney to be available 1:30 P.M. to obtain additional facts and further discuss with Planning Director, Mr. Rowe and other interested parties.)

#### SEWER PROGRAM; ASPHALT CONTRACTORS

Representatives of Asphalt Companies (contractors) were present to discuss problems in connection with deliveries of materials for paving areas following installation of pipe by contractors on the Sewer Program. Among those present were Marshall Alford (General Asphalt), Leo Depew, Earl Collins, representatives of Tri City Paving and Warren Brothers. They pointed out the critical situation in obtaining asphalt and the problem of non-payment for materials furnished the contractors (and sub-contractors) on the Sewer Program. The Director of Manatee County Utilities System and representatives of the Sewer contractors took part in the discussion concerning the paving and clean-up work.

#### REFUND (BUILDING DEPARTMENT)

Motion was made by Mr. McClure that refund be authorized to

HOMER L. COLE, d/b/a Cole Electric                    \$627.74  
For Permit (Electrical) No. 6180  
Contract between Homer L. Cole and Willow Industries, Inc.  
(owner) terminated and job assumed by new contractor,  
Superior. Mr. Cole desires to be released of any respon-  
sibility under the original permit.

with instructions to the Building Department that they are to receive written confirmation from Mr. Cole that he is released from the job and confirmation from Superior that they are responsible for the Willow Industries' job. Motion was seconded by Mr. Dierks and carried unanimously.

#### BUILDING DEPARTMENT - INSPECTOR

Mr. Dierks recommended and moved that the Building Department Director be authorized to employ an inspector on basis of salary plus ten cents per mile auto allowance during the absence of the regular building inspector (confined in hospital). Motion was seconded by Mr. McClure and carried unanimously. (The Building Department Director had requested employ inspector and furnish automobile.)

#### MANATEE COUNTY HEALTH & WELFARE COUNCIL

Mrs. Audrey Thompson, president of Manatee County Health and Welfare Council, made request for assistance in obtaining gasoline for bona-fide workers in human relations. She was advised that Stan Stephens would assist in filling out and submitting proper forms for emergency

allocations, through local dealer, to the FEO for approval.

#### WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Dierks, seconded by Mr. McClure, the Board un-animously approved Requisitions and Warrant Lists from February 19 to February 26, 1974 and authorized Warrant Lists to March 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.  
(See page

#### BILLS FOR PAYMENT

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

Manatee Memorial Hospital \$3665.37; \$1372.00; \$150.00  
Nancy Creasey - Refund 10.00  
(overpayment to OB Clinic)

#### ELECTIONS, SUPERVISOR OF

Motion was made by Mr. Dierks that Purchase Order in the amount of \$1047.00 to Bowen Supply Company, for Supervisor of Elections, be approved. Motion was seconded by Mr. McClure and carried.

#### HOUSEMOVING PERMIT

Motion was made by Mr. McClure to approve application of

R. J. FAIRBROTHER to move a building from 1004 35th St. W.  
to 37th St. Ct. W., Bradenton  
Pre-moving No. 33965A

be approved subject to appropriate bond. Motion was seconded by Mr. Dierks and carried unanimously.

#### WILKINSON, SIDNEY (RE: KEY ROYALE UTILITIES)

The County Attorney read a letter from Sidney R. Wilkinson, architect, advising that an article appearing in The Bradenton Herald, February 22, 1974, entitled, "Sunshine Violation Claimed," was mis-leading, and statements attributed to him were incorrect. This was in regards to sewer connection to a development by the Wilbur Boyd Company, tied in with Bay Rays Sewer Plant (allegations by John Stover).

#### HOUSEMOVING PERMITS

Motion was made by Mr. Dierks to approve applications of

JAMES LIGHT to move a building from 1511 Flamingo Ave.  
(59th Ave. W.) to Corner of SR 675 & SR 70  
Pre-moving No. 33966A

ROBERT DENNIS to move a building from 6229 14th St. W.  
to 1515 60th St. E., Bradenton  
Pre-moving No. 33968A

subject to posting of appropriate performance bonds.  
Motion was seconded by Mr. McClure and carried unanimously.

#### STATE TUBERCULOSIS HOSPITAL

Upon motion by Mr. Dierks, seconded by Mr. McClure, the Board un-animously approved application of THOMAS BELLAMY for admission to the A. G. Holley (State) Tuberculosis Hospital.

#### CERTIFICATES OF CORRECTION (E & I)

Upon motion by Mr. Dierks, seconded by Mr. McClure, 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)

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(Cont'd)

## MCUS EASEMENTS

Motion was made by Mr. McClure that Utility Easements for Manatee County Utilities System be accepted from

JOSEPH E. (JR.) and BETTY LOU ROCKLEIN  
ISLAND BAPTIST CHURCH, BOARD OF TRUSTEES OF  
(Hans Hansen, Romona T. Morgan, J. L. Robinson,  
Chris Schluter, Jan C. Brady)

Motion was seconded by Mr. Dierks and carried unanimously.

## SEWAGE TREATMENT FACILITIES - LOAN ACCOUNT

Mr. McClure moved for the adoption of a Resolution authorizing the Director of Manatee County Utilities System to establish a "Revolving Loan Account #91-43391" at First Federal Savings & Loan Association under provisions of the Sewage Treatment Facilities Revolving Loan Program, and designating any two of the following named persons to be authorized to withdraw funds from said account:

KEN BURTON, Chairman, or ROBERT C. HUTCHES, Vice-Chairman,  
Board of County Commissioners; and  
CHRIS ANGELIDIS, Director, or ROBERT B. PATTERSON, Office  
Manager, or VIRGINIA PENNINGTON, Finance Manager,  
Manatee County Utilities System.

Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED

V24-16

## SPEED LIMITS

Mr. McClure moved for the adoption of a Resolution establishing speed limits on certain County maintained roads as follows:

<u>59th Street West</u> from Cortez Road North to Riverview Blve.	35 MPH
<u>7th, 8th Avenues</u> from 51st Street to <u>59th Street West; also=<del>10th=Avenue</del></u>	30 MPH
<u>10th Avenue Drive West</u>	30 MPH
<u>9th Street West</u> , Cortez Road to US 301 Blvd, also,	30 MPH
<u>U.S. 301 Blvd to 1st Street</u>	30 MPH
<u>47th Street West</u> , Manatee Avenue to Riverview Blvd.	35 MPH

RESOLUTION RECORDED

V24-17

U. S. 41 and (1) 60TH AVENUE W. and (2) 63RD AVENUE W.

Mr. McClure moved for the adoption of a Resolution requesting the State Department of Transportation to make investigation of the traffic conditions existing at (1) U. S. 41 and 63rd Avenue West, (2) U. S. 41 and 60th Avenue West. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED

V24-18

## BONDS

Motion was made by Mr. McClure that the following bond be accepted:

<u>Moving &amp; Alteration of Building</u>	
✓ ELIZABETH L. and ROBERT GRAHAM	(Cash)
Building to be moved to 5935 33rd St. E.	\$1500.00

Motion was seconded by Mr. Dierks and carried unanimously.

## BUILDING DEPARTMENT - CAR RENTAL

Motion was made by Mr. McClure that the Board authorized cancellation of Lease No. W53-19839 on vehicle #307105 (1973 Olds Omega) and execution of Lease Agreement No. N53-22624 on vehicle #401050 (1974 Olds Omega) with KING MOTOR CENTER. These transactions were on vehicles for the Manatee County Building Department and retro-active to November 16, 1974. Motion was seconded by Mr. Dierks and carried.

AGREEMENT RECORDED

V24-19

COUNTY PERSONNEL: MOTOR VEHICLE STATION

By letter dated February 7, 1974, Ancel B. Carder, Director of the Motor Vehicle Inspection Station, advised that periodically all inspectors are required to attend schools and meetings held by the Florida Highway Patrol; that in order to have enough personnel for peak periods it is necessary for some inspectors to work more than 40 hours per week (at first and last of the month and during vacations). He recommended that compensatory time be accrued in lieu of overtime (up to a limit of 24 hours) and that this time be given employees at the discretion of the director, dictated by the volume of business. He requested that the director be authorized to furlow an inspector with pay upon signing a "time owed" voucher for up to 24 hours when traffic will not support a full work force. This was referred to Commissioner Dierks.

COUNTY PERSONNEL: POLICY

Mr. Dierks recommended amending the Personnel Policy to allow four days leave in cases of a death in an employee's immediate family, either in or out of the State (eliminate "allowed at the rate of 3 days out of state and 2 days for local deaths in family".) Action was deferred pending comment from Board members after study of the County Personnel Policy.

TRAVEL: STATE ASSOCIATION COUNTY COMMISSIONERS

Motion was made by Mr. McClure that Board members be authorized to attend the annual conference of the State Association of County Commissioners to be held in Panama City, March 3, 4, 5, 1974. Motion was seconded by Mr. Dierks and carried unanimously.

PARKS & RECREATION

There were no objections to re-advertising for bids to be received on construction of restrooms and storage building at the Ken W. Foster Recreation Area on Lena Road, with bids to be opened March 19, 1974 instead of March 5, 1974 as previously designated.

WARRANT LISTS


General Revenue Fund	30801 - 30815
Road & Bridge Fund	11869 - 11873
Library	631 - 636
Library Reserve	375
Court House I & S	49 & 53
Court House I & S Res.	424
Hospital I & S	94 - 95
SCORE	304 - 307
Revenue Sharing	425
Clearing Account	445 - 917

MEETING ADJOURNED

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

Attest:  
M. T. McInnis, Clerk

APPROVED: 17 December 1974

  
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Deputy Clerk

  
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Chairman