

MARCH 19, 1974

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, March 19, 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 absent.

The meeting was called to order by Chairman Burton.

PLUMBING CODE: AMENDMENT ADOPTED

Public hearing was opened for the purpose of considering proposed Amendments to the Manatee County Plumbing Code. After the reading of the proposed code by the County Attorney, and no objections, the public hearing was closed.

Motion was made by Mr. Hutches that Amendment to Manatee County Plumbing Code be approved and adopted as read. Motion was seconded by Mr. Dierks and carried unanimously.

✓ RECORDED

V24-30

ORDINANCE NO. 74-2: CONNECTIONS TO SANITARY SEWERS

Public hearing was opened for the purpose of considering proposed Ordinance No. 74-2 Establishing Specifications for Making Connections to Sanitary Sewers. After the reading of the proposed Ordinance by the County Attorney, and no objections, the Public Hearing was declared closed.

Mr. Hutches moved for the approval and adoption of

ORDINANCE NO. 74-2

AN ORDINANCE OF MANATEE COUNTY, FLORIDA ESTABLISHING MATERIAL AND INSTALLATION SPECIFICATIONS FOR MAKING CONNECTIONS TO SANITARY SEWERS; PROVIDING A PENALTY FOR VIOLATION; PROVIDING THAT THE ORDINANCE SHALL BE APPLICABLE TO ALL TERRITORY WITHIN UNINCORPORATED AREAS OF MANATEE COUNTY, FLORIDA AND THE CITIES OF BRADENTON BEACH, HOLMES BEACH AND ANNA MARIA, PROVIDING AN EFFECTIVE DATE.

Motion was seconded by Mr. Dierks and carried unanimously.

✓ ORDINANCE RECORDED

V24-31

LOT CLEARING

Public hearing was opened for the purpose of considering the petition of

LC-716 L. W. SMITH alleging that certain land owned by Alice Barnes Palmour

has not been cleared in accordance with requirements of Chapter 69-1284, Special Acts of 1969.

Evidence submitted indicated that the complaint was justified and met the requirements of the lot clearing law.

Public hearing was closed. Mr. Fortson moved for the adoption of a Resolution determining that the property owner has failed to comply with the law regarding to clearing the land and demanding that said property owner, ALICE BARNES PALMOUR take corrective action with fifteen days. Motion was seconded by Mr. Dierks and carried unanimously.

✓ RESOLUTION RECORDED

V24-32

PARKS & RECREATION - KEN W. FOSTER RECREATIONAL AREA

Sealed bids received on construction of restrooms and storage room at the Col. Ken W. Foster Recreation Area (rifle, pistol and archery range), Lena Road, were opened and read as follows:

DOVE BROTHERS	\$18,840.00
LARSEN BROTHERS	17,675.00
JOSEPH FINK CONSTRUCTION	17,100.00 ^X
DeFLAVIS CONSTRUCTION	18,400.00
W. G. MILLS	19,928.00

The bids were referred to the Director of Parks and Recreation and committee.

Motion was made by Mr. Hutches that bid policy be waived with regard to drilling a well at Ken W. Foster Recreation Area and that the Director of Parks and Recreation be authorized to employ Harry Cannon to drill a 6-inch well at that location. Mr. Marble had advised that he had contacted well drillers in Sarasota and Manatee Counties and only two have the equipment to drill a 6-inch well, and quotations were as follows:

Troutman	- Drilling \$5.00 per foot; pipe \$6.00 per foot
Harry Cannon	- Drilling 3.00 per foot; pipe 5.00 per foot

Motion was seconded by Mr. Fortson and carried unanimously.

Mr. Marble's request for transfer of funds from Tennis Court Construction to the Anna Maria Island Youth Center Tennis Court was deferred until a later date.

(Correction: Mr. Marble stated he did not go out of county for bids.)

HIGHWAY DEPARTMENT - ROAD MATERIALS

Sealed bids received on Bituminous Material for the Highway Department were opened and read as follows:

<u>No. A-2</u> Hot Plant Mixed Asphaltic Concrete
WARREN BROS.
SURFACING PRODUCTS
<u>No. A-3</u> Hot Plant Mixed Sand Asphalt Base Coarse
WARREN BROS.
SURFACING PRODUCTS
<u>No. A-4</u> Cold Plant Mixed Patching Materials
WARREN BROS.
SURFACING PRODUCTS

The bids were referred to the Highway Department and the appropriate committee for review and recommendation.

PROJECT NO. 588

Motion was made by Mr. Fortson that the Highway Department advertise for bids on construction of Project No. 588 for opening sometime in April, depending on completion of the sewer line. Motion was seconded by Mr. Hutches and carried unanimously.

61ST AVENUE EAST; 59TH AVENUE EAST

Motion was made by Mr. Dierks that bids be received on outfall lines on 61st Avenue and 59th Avenue (East) in connection with the 5th Street East project, and that the bids be opened April 16, 1974. Motion was seconded by Mr. Hutches and carried unanimously.

HIGHWAY DEPARTMENT: OLD PIPE FORMS

In view of the fact that no bids had been received on offer for sale of old pipe forms, motion was made by Mr. Dierks that Martin Williams be authorized to dispose of them to the best interest of the county. Motion was seconded by Mr. Hutches and carried unanimously.

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EARTH MOVING PERMIT (PEREZ)

Motion was made by Mr. Dierks to approve application of David Perez to dig a 2-acre water surface lake and remove dirt from the premises of

Block #1, located .2 mile south of 4206-34th Avenue E.,
Elwood Park, S-4, T-35, R-18
(E.M. No. CC-5)

Motion was seconded by Mr. Hutches and carried unanimously.

DRIVEWAY PERMIT (ELHEN)

Mr. Hutches explained that Mr. and Mrs. William Elhen had applied for a driveway permit into their property on the "Pipe Line" Road, from the Water Treatment Plant to Rye Road, and it had been approved by all departments except Highway; that a number of permits has been issued along this road and a number of Temporary Use permits issued for mobilehomes. Sometime ago, before the new procedure went into effect, they had purchased the pipe and county crews installed it in the location for the driveway, and now they have made application for septic tank, well and building permit.

Upon question, the County Attorney advised that the fee simple title to the road is in the county, that the county built the road and has maintained it and even though unpaved, etc., under the new ordinance it would be considered a public road and would qualify as far as issuance of building permits is concerned.

Motion was made by Mr. Hutches that the Highway Department be instructed to approve and issue driveway permit for William Elhen. Motion was seconded by Mr. Fortson. Voting "Aye" were Mr. Hutches and Mr. Fortson and Chairman Burton. Mr. Dierks voted "No". Motion carried.

DEPARTMENT OF TRANSPORTATION
MAJOR THOROUGHFARE PLAN

Motion was made by Mr. Fortson that Art Fischer, Planning Director, be authorized to forward annual updated 20-year Highway Construction needs plan (Major Thoroughfare Plan) to the Department of Transportation. Motion was seconded by Mr. Hutches and carried unanimously.

EMERGENCY ENERGY CONSERVATION

The Board deferred action on application for grant and allocation funds under the Highway Energy Conservation Act, which provides 90-10 funding for special programs which will aid in conserving energy. Mr. Fischer advised that one program considered - Local Transit and purchase of new buses - was not eligible, nor could land acquisition be considered a chargeable cost to the federal project.

SPEED LIMITS

Motion was made by Mr. Fortson that the County Attorney draft the appropriate resolution to establish speed limits recommended by Manatee County Safety Council's Traffic Committee.....

47th Street W., 35 MPH
57th Street W., 30 MPH
33rd Avenue W., from 26th Street W. to Southern Parkway- 30 MPH

Motion was seconded by Mr. Dierks and carried unanimously.

STATE ROAD 45-684 (REIS LIGHT)

Motion was made by Mr. Fortson to accept the recommendation of Manatee County Safety Council to request Governor Rueben Askew and the Governor's Highway Traffic Committee to allow a test installation, at no cost to county or state, to be made of the traffic light, invented by Dr. Gordon Reis, at the intersection of State Road 45 and State Road 45 in Manatee County for the purpose of testing and evaluating the light. Motion was seconded by Mr. Hutches and carried.

FUEL ALLOCATIONS

Motion was made by Mr. Fortson to designate William Kuhn as Fuel Allocations officer, as coordinator between county, state and federal agencies, with Martin Williams to continue inter-departmental (county) allocations. Motion was seconded by Mr. Dierks and carried unanimously.

TAX SHELTER ANNUITY PROGRAM (COUNTY OFFICERS & EMPLOYEES)

Jack Martin, Investment Executive of Shearson, Hammil & Company, Inc., through Aetna Insurance Company, presented a Deferred Compensation for Public Employees plan, which would allow payroll deductions from county officers and employees for investment and tax-relief until retirement. The Chairman requested Mr. Fortson to chair a committee to meet with Mr. Martin and other investment specialists on this matter.

CATV FRANCHISE (TELEPROMPTER)

Request by William Langendorf, General Manager, Teleprompter Cable TV, for rate increase from \$5.50 to \$6.95, was referred to the County Attorney for review of the Teleprompter franchise and recommendation back to the Board as to procedure, etc., the following Tuesday.

SCHOOL BOARD - SURPLUS PROPERTY FOR FIRE DISTRICT

Mr. Fortson advised that he had met with the School Board and discussed the request of the Volunteer Fire Department that abandoned school property at Cortez be conveyed to the Special Fire District; that the School Board cannot donate the land and will put it up for public sale or other disposition to be decided upon in two weeks, which will give him an opportunity to discuss the matter with all commissioners to see if there is any possibility of doing anything in the way of acquisition for the Volunteer Fire Department.

BONDS

Upon motion by Mr. Hutches, seconded by Mr. Fortson, the Board un-animously approved

Sheriff's Department

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

- ✓ HAROLD C. ROUSE -Special Deputy
- ✓ DEBORAH A. BLADES -Civilian Personnel
Records Clerk
- ✓ JOHN W. LIVINGSTON, JR., and
- ✓ MICHAEL McDONALD -Jailers
- ✓ SUSAN L. JONES and
- ✓ MARY LOU HADDOCK -School Crossing Guards
- ELMER S. COX -Jail Cook
- ✓ JAMES M. DUNKLIN and
- ✓ EZEKIEL T. BONDS and
- JAMES F. HACKLE and
- DAVID L. GREVE and -Regular Posse
- DAVID KERR)

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Hutches, seconded by Mr. Fortson, the Board un-animously approved Requisitions and Warrant Lists from March 12 to March 19, 1974 and authorized Warrant Lists to March 26, 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 April 2, 1974.)

BILLS FOR PAYMENT

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

REFUND to B. A. Carr for Electrical permits No.
8550 and 8549 Fees \$85.50
issued by Manatee County Building Department
on property located in the City of Bradenton.

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EASEMENT: CORRECTION W-Q ENTERPRISES (MCUS)

Motion was made by Mr. Dierks to rescind previous action in granting easement to W-Q Enterprises, because of error in the legal description, and authorize execution of a new easement. Motion was seconded by Mr. Hutches and carried unanimously.

CONSTRUCTION TRUST FUNDS

Mr. Dierks moved for the adoption of a Resolution authorizing Inter City National Bank, as Trustee for \$11,650,000 Water System Construction Trust Fund, to redeem U.S. Treasury Bills in the amount of \$200,000 (due June 21, 1974). Motion was seconded by Mr. Fortson and carried unanimously.

✓ RESOLUTION RECORDED V24-33

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

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-62

Warren Brothers Company	\$	431.31
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Motion was seconded by Mr. Fortson and carried unanimously.

✓ RESOLUTION RECORDED V24-34

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

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-64

Lee Construction Company	\$79,588.73
Warren Bros. Company	3,585.00
MCUS \$24.4 Sewer Revenue acct.	19,591.37
MCUS 24.4 Sewer R & R acct.	14,158.58
MCUS General Control Fund	3,771.00
Edward S. & Rita Funaiole	(75.00
	(75.00

and accept an easement for Manatee County Utilities System from Edward S. and Rita Funaiole. Motion was seconded by Mr. Hutches and carried unanimously.

✓ RESOLUTION RECORDED V24-35

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

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 D-39

Russell & Axon	\$61,541.83
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Motion was seconded by Mr. Hutches and carried unanimously.

✓ RESOLUTION RECORDED V24-36

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

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 B-8

Crom Corporation	\$15,119.72
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Motion was seconded by Mr. Fortson and carried unanimously.

✓ RESOLUTION RECORDED V24-37

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

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 D-7

Russell & Axon

\$34,862.43

Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED

V24-38

SANITARY SEWER FACILITY

SPECIAL ASSESSMENTS; LOWREY PROPERTY

Mr. Forston moved for the adoption of a Resolution confirming and ratifying that certain Resolution entitled "Resolution Ordering Construction of Sanitary Sewer Facility Pursuant to the Provisions of Florida Statute 153.05" adopted by the Board on November 27, 1974, and reducing assessment of Robert E. Lowrey, Jr., as Trustee, to the total sum of \$1,600.00. Motion was seconded by Mr. Dierks and unanimously carried.

RESOLUTION RECORDED

V24-39

LIBRARY SYSTEM (AUTO)

Mr. Fortson moved for the adoption of a Resolution approving the acquisition of a 1973 Dodge Polara Custom Station Wagon by Manatee County Library System (Board) for \$4,420.00, and advising the Director of the Manatee County Library System and the Manatee County Library Board that all purchases of equipment in excess of the valuation of \$1,000 in the future must strictly comply with the County's bid policy. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED

V24-40

BUILDING DEPARTMENT (BRADENTON YACHT CLUB)

Motion was made by Mr. Hutches that the Manatee County Building Department be authorized to waive all fees required for building, plumbing, electrical permits and zoning clearance in connection with construction of a shed for prams, for public use, at the Bradenton Yacht Club. Motion was seconded by Mr. Fortson and carried unanimously.

CEMETERY ORDINANCE

The County Attorney read a draft of the proposed Cemetery Ordinance which would be considered in Public Hearing April 16, 1974.

54TH AVENUE DRIVE WEST

Mr. Fortson read a letter from First Federal Savings and Loan Association of Sarasota requesting verification that 54th Avenue Drive West, approximately 700 feet east of 16th Street West, is county maintained and is a County Right-of-Way.

The following communication was read into the record:

"From Manatee County Highway Department
March 13, 1974

"TO WHOM IT MAY CONCERN:

"This will certify that the Manatee County Highway Department has maintained 54th Avenue Drive, east of 16th Street west for a period in excess of four(4) years."

BUDGET AMENDMENT - FAIR ASSOCIATION (AGRICULTURAL DEPARTMENT)

Motion was made by Mr. Fortson that the Board consider a Budget amendment. Motion was seconded by Mr. Hutches and carried unanimously.

Mr. Fortson moved that the Board approve transfer of \$3000 from Reserve for Contingencies to Agricultural Department for item for salary for a secretary to the Fair Association and Agricultural Extension Service. Motion was seconded by Mr. Hutches and carried unanimously.

LEGISLATION - STUDY COMMISSION/COUNTY ADMINISTRATOR

Board members discussed proposed legislation, question on the ballot for approval of a study commission, changes and improvements within

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county government, and the County Administration Act of 1973 requiring hiring a county administrator in counties over 100,000 population.

SIGNS - POLITICAL

Upon recommendation by Mr. Dierks that all political signs be eliminated or at least restricted, the County Attorney was requested to research any ordinance in other areas and advise this Board of legal authority to limit, eliminate, specify distance and/or areas (specify) such signs.

MEETING ADJOURNED

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

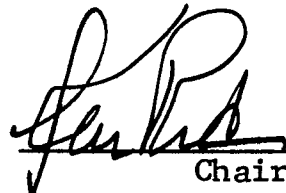
Attest:

M. T. McInnis, Clerk



Deputy Clerk

APPROVED: 17 December 1974



Chairman