

MARCH 26, 1974

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

Present were Commissioners Ken Burton, Chairman
 Robert C. Hutches, Vice Chairman
 Dan P. McClure
 L. H. Fortson, Jr.
 Kenneth D. Dierks
 Deputy Clerk Henry E. Bourne
 County Attorney Richard A. Hampton

The meeting was called to order by Chairman Burton.

ZONING

Art Fischer, Planning Director, presented recommendations of the Planning Commission.

D.R.I. BELCHER OIL COMPANY

Application for a Developments of Regional Impact pursuant to Section 380.06, Florida Statutes.

1st application - to develop a Clean Fuels Processing Facility on a 275 acre site adjacent to the Belcher Oil Company facilities at Port Manatee, Florida.

2nd application - to develop an Offshore Deepwater Tanker Terminal in the Gulf of Mexico to be connected to the Clean Fuels Processing Facility at Port Manatee by two (2) 48" submarine pipelines.

The Planning Commission recommended that the Board of County Commissioners approve the concept for development of

- (1) Clean Fuels Processing Facility at Port Manatee, subject to the following provisions:
 - (a) The applicant provide Manatee County Board of County Commissioners with copies of all reports and studies submitted to appropriate State and Federal Regulatory Agencies and permits obtained prior to applying for Manatee County building or other permits.
 - (b) The applicant review the attached report by Associated Water and Air Resources Engineers, Inc., entitled "An Environmental Assessment of an Oil Refinery and Offshore Tanker Terminal" and provide assurances that the report recommendations can and will be incorporated into final design specifications and operating procedures.

and endorse the concept for development of

- (2) (a) Offshore Deepwater Tanker Terminal, and
 - (b) Approve the concept for transporting crude oil from the tanker terminal to the Clean Fuels Processing Facility at Port Manatee via submarine pipeline for those sections of the pipeline within the territorial jurisdiction of Manatee County, subject to the following provisions:
 1. The applicant provide Manatee County Board of County Commissioners with copies of all reports and studies submitted to appropriate State and Federal Regulatory Agencies and permits obtained prior to applying for Manatee County building or other permits.

2. The applicant review the report by Associated Water and Air Resources Engineers, Inc., entitled "An Environmental Assessment of an Oil Refinery and Offshore Tanker Terminal" and provide assurances that the report recommendations can and will be incorporated into final design specifications and operating procedures.
- (3) Request the applicant to conduct further research and study into the potential problem of an oil spill occurring at the Offshore Terminal and then reaching the Gulf Beaches. This study should:
 - (a) Identify in specific terms those sequences in the unloading operation that are more susceptible to creating an oil spill.
 - (b) Identify the weather conditions, including surface currents, that would have to exist, and their frequency of occurrence, in order to bring oil ashore.
 - (c) Develop procedures applicant could and would take to preclude an oil spill from reaching gulf beaches.
- (4) Authorize the County Attorney to prepare appropriate development orders as required by Chapter 380, Florida Statutes, reflecting the above.

T. I. Sawyer, vice president of Belcher Oil Company, gave a resume of presentations before the Board of County Commissioners, the Planning Commission, Manatee County group of mayors, civic and area groups, environmentalists and in public forums.

He requested the Board's approval of the design and operational concepts as presented by Belcher Oil Company so they can proceed and commit the financial resources necessary for definitive design, engineering and construction plans.

Among those appearing and speaking in opposition to the Belcher Oil Company D.R.I. were

Edwin G. Moline, representing several organizations opposed to the Belcher oil refinery and offshore oil loading dock and/or deciding the question by referendum. The organizations included Izaak Walton League, Audubon Society, Save Our Bays, Manatee Federation of Community Associations as well as active individual associations such as Oneco, Palma Sola, San Remo, etc.;

Dick Blankenship, representing Palma Sola Park;

Mayor Steve Kimball, representing City of Anna Maria;

Mrs. Ivan L. Farman - Izaak Walton League opposes; if Board feels installation necessary then have research by other engineers; meet with Belcher, etc.;

Jack Schofstall - questioned if sufficient amount of water available for the project;

Commissioner Gibbons, Longboat Key;

Mayor Jim Zerby, City of Holmes Beach;

Jack Herndon; Mrs. Zelda Griffin; C. H. Sefelt; Richard Stern; George Laposky (favors referendum);

Mayor Dick Connick, City of Bradenton Beach; Royal Norris, president Bay Colony Property Owners Association; William Lindsey.

William Wheeler, speaking neither in favor or against Belcher,

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offered proposal that Belcher deposit cash equal to certain percentage of cost of refinery in local banks as guarantee payment of costs of clean up program in event of oil spills.

Among those speaking in favor of approving applications of Belcher Oil Company were

Mark Burlington, representing Manatee Chamber of Commerce and private citizens, read resolution by Chamber of Commerce;
Jim Ward;
John Sheffield, representing Gulf Coast Builders Exchange;
W. B. Simonds - Florida Power Corporation;
Harry Blackrick; Harold Walker, Manatee-Sarasota Builders Trades.

In making closing comments, Mr. Sawyer stated that they have no intentions of going into any satellite industries whatsoever.

With reference to comment by Pollution Control Board, at the public hearing, on retaining of all cooling water and waste water from this facility being retained on the uplands rather than being discharged into Tampa Bay, the County Attorney stated this can be put into a Development Order.

Motion was made by Mr. Dierks that the Board of County Commissioners of Manatee County accept the recommendations of the Planning Commission on D.R.I. on Belcher Oil Company. Motion was seconded by Mr. McClure and carried unanimously.

RECESS

After a short recess, the Board meeting was reconvened.

Z-91 AMEND ZONING ORDINANCE - SECTION VI, PARAGRAPH 26
 The Planning Commission recommended approval of County Commission initiated petition regarding dumping of waste materials.

Mr. Dierks moved for the approval and adoption of Z-91 prohibiting dumping of waste materials in any area of the County outside a sanitary landfill; provided, however, that in an A General Agricultural District dumping of rubbish may be permitted under certain conditions. Motion was seconded by Mr. Fortson and carried unanimously. (Resolution to follow)

ORDINANCE NO. 74-3 (SUBDIVISION REGULATIONS)

Public Hearing was opened for the purpose of considering proposed Ordinance No. 74-3 relating to subdivision regulations within the unincorporated area of Manatee County; providing that building permits are not to be issued unless property has adequate access, drainage plans, etc. After reading of the proposed ordinance, with no objections, Public hearing was closed.

Mr. Dierks moved for the adoption of

ORDINANCE NO. 74-3: AN ORDINANCE OF MANATEE COUNTY, FLORIDA CLARIFYING THE APPLICATION OF SUBDIVISION REGULATIONS WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA, PROVIDING THAT BUILDING PERMITS ARE NOT TO BE ISSUED UNLES PROPERTY HAS ADEQUATE ACCESS AND A DRAINAGE PLAN FOR THE PROPERTY HAS BEEN APPROVED; PROVIDING THAT SUBDIVISION LOTS SHALL NOT BE RE-DIVIDED INTO SMALLER PARCELS WITHOUT APPROVAL OF REPLAT; AMENDING PROVISIONS OF LAWS OF FLORIDA, SPECIAL ACTS, CHAPTER 63-1599,

THE MANATEE COUNTY ZONING ORDINANCE AND SUBDIVISION
REGULATIONS TO EXTENT OF ANY CONFLICT, PROVIDING AN
EFFECTIVE DATE,

as read. Motion was seconded by Mr. Fortson and carried unanimously.

ORDINANCE RECORDED

V24-42

ORDINANCE NO. 74-4: ROAD ASSESSMENTS

Public hearing was opened for the purpose of considering Ordinance No. 74-4 providing for total assessment against abutting property owners for road and other improvements. The proposed Ordinance was read by the County Attorney.

There were no objections and Public Hearing was closed.

Mr. Fortson moved for the approval and adoption of

ORDINANCE NO. 74-4: AN ORDINANCE OF MANATEE COUNTY, FLORIDA AMENDING SECTION 2 OF LAWS OF FLORIDA, SPECIAL ACTS, CHAPTER 63-1582, AS AMENDED BY SECTION 1, LAWS OF FLORIDA, SPECIAL ACTS, CHAPTER 65-1883, PROVIDING FOR THE TOTAL ASSESSMENT AGAINST ABUTTING PROPERTY OWNERS FOR ROAD AND OTHER IMPROVEMENTS ON MOTION BY THE GOVERNING BODY; PROVIDING AN EFFECTIVE DATE,

as read. Motion was seconded by Mr. Hutches and carried unanimously.

ORDINANCE RECORDED

V24-43

LOT CLEARING (BROWN V. DAVIS)

Public hearing was opened for the purpose of considering petition

LC-719 CHESTER A. BROWN, alleging that certain land owned by WAYNE E. DAVIS

has not been cleared in accordance with requirements of Section 2 of Chapter 69-1284.

This property was overgrown with heavy growth and trees of some size and Mr. Davis stated he contemplated building his home on the site; that a letter from his contractor indicated intentions of starting clearing (with bulldozer) within the next thirty (30) days.

Public hearing was closed. Mr. McClure moved for the adoption of a Resolution demanding that the property owner, WAYNE E. DAVIS, take corrective action with regard to said/within thirty (30) days instead of the usual requirement of fifteen (15) days. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED

V24-44

POLLUTION CONTROL PROGRAM-SECTION I
PART "E" (SEWER SYSTEM)

Motion was made by Mr. Fortson that Russell & Axon Consulting Engineers be authorized to prepare construction plans and specifications, assessment drawings and descriptions, easement drawings, permits, surveys, subsurface investigations, etc., for extension of sewer lines into areas developed since the initial assessment roll (S-19S/ T34S/ R17E, S-6S, 23N, 23S, 24N/35S/R17E). Motion was seconded by Mr. Hutches and carried unanimously. (Reference Assessment District "E" - 1)

SEWER SYSTEM - PART D - SECTIONS I & II

Motion was made by Mr. Hutches that the appropriate county officers be authorized to execute contract with WOODRUFF & SONS, INC., for

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(Cont'd)

Sanitary Sewerage Project, Part D	
Section I (Gravity Sewers & Force Mains)	\$6,554,420.63
Section II (Lift Stations)	<u>751,174.13</u>
	\$7,305,594.76

and accept performance bond with St. Paul Fire & Marine Insurance Company, as Surety. Motion was seconded by Mr. McClure and carried.

ROAD IMPROVEMENT PROJECTS: NO.

Motion was made by Mr. Fortson that Pending Project No. 38 (21st Street W., running north from 55th Avenue W. to deadend) be accepted and the County Engineering Department authorized to proceed with survey, plans and estimates. Bob Moon, Right of Way Agent, advised 74.8 percent property represented in petition. Motion was seconded by Mr. Hutches and carried unanimously.

Mr. Moon advised that Pending Project, accepted January 30, 1973, percentage dropped but additional signatures to 68.3 percent now qualified it as participation project.

Motion was made by Mr. Dierks that Pending Project No. 33 (5th Street W. from 67th Avenue W. to canal ~~and 5th Street=W. from 67th Avenue W. to canal~~) be reactivated and put back on the priority list and the County Engineering Department be authorized to proceed with survey, plans and estimates. Motion was seconded by Mr. McClure and carried unanimously.

NOTE: Pending Project No. 38 = Project No. 713
Pending Project No. 33 = Project No. 714

GAAR PROPERTY (COURT HOUSE EXPANSION)

Mr. Moon advised the Board of the scheduled closing on purchase of the Gaar property on Monday, but Mr. Gaar had requested reimbursement of \$30.00 for material for barricades erected by him to prevent parking on the property. Motion was made by Mr. Dierks that payment of \$30.00 to William Gaar be authorized to cover cost of materials for barricades. Motion was seconded by Mr. Hutches and carried unanimously.

MOBILEHOME PERMIT (HARRISON)

Jerry West, of the Planning Department, advised of a non-conforming use of an old bus converted into living quarters in 1950 on property where Mrs. Betty Harrison had requested permit for a mobilehome for her mother; that if it has not been abandoned for one year there might be a possibility to continue the non-conforming use and replacement with a new mobilehome after public hearing and recommendation of the Planning Commission. (Planning Commission will process this as a hardwhip case.)

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Dierks, seconded by Mr. McClure, the Board unanimously approved Requisitions and Warrant Lists from March 19 to March 26, 1974 and authorized Warrant Lists to April 2, 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 unanimously approved the following bills for payment:

Manatee Memorial Hospital \$2084.23; \$3528.00; \$550.00

CERTIFICATES OF CORRECTION (E & I)

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

unanimously approved Certificates of Correction (E & I) on the current tax roll as recommended by the Tax Assessor. (See page 490 C)

LIBRARY SYSTEM - LEGISLATION

Mr. McClure moved for the adoption of a Resolution urging the Legislative Delegation representing Manatee County to use its best efforts to obtain in the 1974 Legislative Session an appropriation of \$4,765,297.00 for State Aid for public libraries to be administered under the provisions of Chapter 257, Florida Statutes. Motion was seconded by Mr. Fortson and unanimously carried.

RESOLUTION RECORDED

V24-45

DEEDS ACCEPTED (MCUS)

Motion was made by Mr. McClure that the Board accept Warranty Deeds as follows:

From SOUTHERN GULF UTILITIES, INC., formerly ECOLOGICAL UTILITIES, INC. (5+ acres at Gateway East site for MCUS)

From W-Q ENTERPRISES, INC. (MCUS Water Treatment Expansion)

Motion was seconded by Mr. Dierks and carried unanimously.

SPEED LIMITS

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

<u>47th Street West</u> from Manatee Avenue north to Riverview Blvd.	35 MPH
<u>33rd Avenue West</u> from 26th Street West to Southern Parkway	30 MPH
<u>57th Street West</u> from Manatee Avenue north to Riverview Blvd.	30 MPH

Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

V24-46

CONSTRUCTION TRUST FUNDS

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

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-65

Tech Corporation & Associates	\$17,146.35
MCUS General Control	13,030.26
C. H. Wooten, as Trustee	500.00

and acceptance of MCUS utility easement from C. H. Wooten, as Trustee. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

V24-47

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

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 B-9

Manatee County Health Department	\$20.00
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Motion was seconded by Mr. McClure and carried unanimously.

RESOLUTION RECORDED

V24-48

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

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SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 D-40

Goodrich & Hampton

\$152.00

Motion was seconded by Mr. Fortson and carried unanimously.

RESOLUTION RECORDED

V24-49

SANITARY SEWERAGE PROJECT - PART C, SECTION II

Motion was made by Mr. Hutches that the Board approve Change Order No. 1, deleting and adding certain items for net addition of \$19,991.00 to the contract between County and Giannetti Bros. and Lanzo Construction, Sanitary Sewerage Project - Part C, Section II (Gravity sewers and force main). Motion was seconded by Mr. McClure and carried unanimously.

SHERIFF'S DEPARTMENT

Motion was made by Mr. Fortson that the Board approve request of Sheriff R. W. Weitzenfeld for award of extra gain time to Robert Ralph Allen, Jr., for release 26 March 1974 instead of 6 April 1974. Motion was seconded by Mr. McClure and carried unanimously.

MEDICAID - LEGISLATION

Mr. McClure moved for the adoption of a Resolution petitioning the Florida State Legislature to appropriate funds and require the Department of Health and Rehabilitative Services, Division of Family Services, under Florida's Title XIX Medicaid Law (stipulated in Chapter 72-225) to provide payment for total cost of inpatient hospitalization, skilled nursing home or intermediate facility type care involving eligible Medicaid patients. Motion was seconded by Mr. Fortson and unanimously carried.

RESOLUTION RECORDED

V24-50

STUDENT-IN-GOVERNMENT-WEEK

In observance of Student-in-Government Week, Board members pledged cooperation with the Student Council of Manatee High School for selective students to take over job responsibilities during the week of April 1 - 5, 1974.

CATV FRANCHISE (TELEPROMPTER) - RATE INCREASE

Action was deferred for one week on request by Teleprompter for rate increase in connection with its CATV Franchise.

SIGNS - POLITICAL

With regard to political signs, Mr. Dierks recommended limitation of ten to each candidate throughout the county and that letters be written to the municipalities requesting their views toward legislation to abolish such signs in the cities and Manatee County.

COURT HOUSE EXPANSION (PARKING)


The Chairman designated Mr. Dierks as committee to confer with the County Attorney as to procedure to follow in renting parking spaces on property purchased for future expansion of court house facilities; also legality of assigning parking spaces for county officials.

MEETING ADJOURNED

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

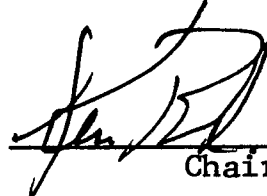
Attest:

M. T. McInnis, Clerk



Deputy Clerk

APPROVED: 17 December 1974



Chairman