

APRIL 2, 1974

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, April 2, 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.

STUDENTS IN GOVERNMENT

Students from Manatee High School, selected as stand-ins for governmental officials during "Student-in-Government" Week, April 1-5, 1974 were introduced. Those representing Members of the Board of County Commissioners were: John Stevens, District No. 1, Ruth Burnett, District No. 2, Karen Larson, District No. 3, Tom Hardesty, District No. 4, Gary Taylor, District No. 5.

ZONING

Recommendations were submitted by Art Fischer, Planning Director.

CC-3 LEWIE SCHOFIELD EARTH MOVING APPROVED
Application for earth moving approval - small lake in Block Oneco, .50 +/- located west side of Gap Creek, 1/2 mile south of Hwy. 70, Oneco, S-16,T-35,R-18. Approved by county departments and nematode clearance by Division of Plant Industry.

Upon motion by Mr. Dierks, seconded by Mr. McClure, the Board un-animously approved CC-3 for Lewie Schofield for Earth Moving Permit.

LOT CLEARING

Public hearing was opened for the purpose of considering petition

LC-717 NORMAN NORDMARK, alleging that certain land owned by John A. Prideaux has not been cleared in accordance with the Lot Clearing Law.

Evidence (photographs) indicated that this was a legitimate complaint. Public hearing was closed.

Mr. McClure moved for the adoption of a Resolution determining that the property owner, JOHN A. PRIDEAUX, had not complied with Section 2, Chapter 69-1284, Laws of Florida, Special Acts of 1969, and demanding that to take corrective action with regard to his land within fifteen (15) days. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED

V24-51

TRAVEL (HIGHWAY PERSONNEL)

Upon motion by Mr. McClure, seconded by Mr. Dierks, the Board un-animously approved request by Bill Baird, Acting County Engineer, to authorize Frank Pearson and James Thigpen to attend the National Municipal Signal Association convention in Miami Beach, April 17, 1974, and payment of registration fee of \$30.00. (Traffic School)

EQUIPMENT: HIGHWAY DEPARTMENT (DRAGLINE)

Motion was made by Mr. McClure that the Board waive bid policy in connection with emergency repairs on a county-owned Gradall and authorize Bill Baird to have the work done by Great Southern Equipment Company, who is the only franchised dealer. Motion was seconded

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(Cont'd)

by Mr. Hutches and carried unanimously.

HIGHWAY DEPARTMENT - TRUCKS

Motion was made by Mr. Hutches that the Acting County Engineer be authorized to advertise notice for bids to be received on equipment for the Highway Department: 6 pickup trucks, 3 cars, 3 crew cabs, 1 survey vehicle, 2 tractors and mowers, 1 loader. Motion was seconded by Mr. Fortson and carried unanimously.

STATE ROAD 70 (TRAFFIC MODIFICATION); BRIDGES

Request was submitted by Wendel Kent and Company, contractors on Department of Transportation project on State Road 70, to be allowed to modify two-traffic requirement, plus close road to all but local resident and ranch traffic from Station 265 eastward to the east end of the project at Lorraine Road. This would result in a credit of \$25,000 to Manatee County Secondary Road funds.

Motion was made by Mr. McClure that the Chairman write a letter to the State Department of Transportation stating that this Board has no objections to granting the request by Wendel Kent and Company. Motion was seconded by Mr. Fortson and carried unanimously.

Bob Moon, r/w agent, was requested to check the budget and cash flow and bring back cost figures on repairing or replacing bridges on State Road 70 so that funds may be borrowed from Secondary Road Fund budget this fiscal year and the bridges coordinated with the paving project.

COURT HOUSE EXPANSION - PROPERTY

Motion was made by Mr. Fortson to accept recommendations by Mr. Moon as follows (1) Rent the property purchased from Chester Chaires to the present tenant, Capital Finance, for the balance of the year and give ninety days notice to vacate when the County decides on another use of the property (Mr. Fortson and Mr. Moon to work out arrangement to reduce rent proportionately so that the tenant can be responsible for and pay the taxes); (2) Allow Dr. King ninety days to notify tenants of parking spaces as to change of ownership and that future rental payments will come to the County. Motion was seconded by Mr. McClure and carried unanimously.

John Thomas, of the Engineering Department, advised that one tank, pump and one island on the service station site (purchased from Wm. Gaar) will remain for use of the Sheriff's Department (all others to be removed).

Requests from the Sheriff, Health Department, Council on Aging and the Clerk of Circuit to be allowed to use the vacant buildings on the property were referred to Mr. Dierks as committee to make recommendations for the use of said buildings.

SEWERAGE TREATMENT WORKS - PART "B"

Upon motion by Mr. Fortson, seconded by Mr. Hutches and unanimously carried, the Chairman was authorized to execute fifty (50) percent progress payment on Federal Grant for Sewerage Treatment Works Part "B", Project No. 6681-8b (Part B) WS-Fla-216, to the Department of Housing & Urban Development.

PARKS & RECREATION

Request by John Marble to be authorized to use credit cards to obtain gas for the Parks & Recreation Department during emergency "fish kill", because County supplier had not increased allotment of fuels, was referred to William Kuhn, Civil Defense Director, for contact with the allocations officer concerning additional fuels (gasoline) for emergency purposes.

PALMA SOLA GOLF COURSE

Lamar Matthews, attorney, appeared before the Board for John Blue, Dick Turner and other principals who own the Palma Sola Golf Course, which is located on 75th Street and Cortez Road, and outlined their reasons for objecting to County Government competing with private business by constructing a golf course on public land bought for the county sewer system. This facility would be located less than one mile from the Palma Sola Course, and it was their contention that Government should provide needed recreational facilities such as public swimming pool and football fields for the various youth programs in Manatee County.

COMPREHENSIVE HEALTH PLANNING COUNCIL

Mrs. Marty Farman and Desmond O'Hara came before the Board concerning efforts of the Manatee County Comprehensive Health Planning Council, Inc., as a part of the regional West Central Florida Comprehensive Health Planning Council, to coordinate health and medical services and activities with counties in the South West Florida Regional Planning Council rather than with counties in the West Central Florida Regional Planning Council.

Mr. Fortson moved for the adoption of a Resolution in supporting the requests of Manatee County Comprehensive Health Planning Council for a waiver to plan for health and medical matters with Sarasota County and the other counties in the South West Florida Regional Planning Council and communicating this position to the Manatee County Legislative Delegation, the Department of Administration and the Department of Health and Rehabilitative Services, the Congressional Delegation and the Governor and his cabinet. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

V24-52

RECESS

After a short recess the meeting was reconvened.

SAMOSET COMMUNITY CLUB

Mrs. Gladys Parrott was present to discuss recreational needs in the Samoset Community, question of a signal light on 15th Street East, just south of 30th Avenue East, and previous complaints about a nuisance involving parking and washing garbage trucks in a residential area.

Mr. Hutches advised that he would confer with the State Department of Transportation as to traffic or signal light on 15th Street East; that C. T. Adams (Garbage Disposal Service) was in operation in that area prior to zoning and has been in continuous operation since that time. It was suggested by the County Attorney that the people employ legal counsel as to the nuisance complaint.

"RED TIDE"

After discussion about the "Red Tide" situation, and problems in SaraBay and Trailer Estates in particular, Mr. Fortson requested O. E. (Bud) Randle to check to determine if these areas were any worse than others. Upon question as to whether or not the dead fish (decaying, etc.) could be a health hazard, Dr. Sam Simpson said this could be debated, but the terrible odor is not a health hazard; that there were no means through the Health Department to pick up or dispose of them and urged people to clean up their own areas and property.

COUNCIL ON AGING

Motion was made by Mr. Hutches that Mrs. Alma Welch and Dr. Sam Simpson be appointed as government co-representatives on a committee for Council on Aging. Motion was seconded by Mr. Fortson and carried unanimously.

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(Cont'd)

BONDS

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

Moving and Alteration of Building

MARY MULVEE \$1500 Bond No. 3930, Ga-Carolina
Insurance Company, surety

BILLS

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

Sarasota Memorial Hospital	\$ 431.22
Goodrich & Hampton	625.48
Alan H. Brice	613.50
Simkus, Southerland & Newhall	100.00
Professional Ancillary Services	50.00

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. McClure, seconded by Mr. Fortson, the Board un-
animously approved Requisitions and Warrant Lists from March 26 to
April 2, 1974 and authorized Warrant Lists to April 9, 1974, said
Warrant Lists to include any payrolls during that period upon condi-
tion that all employees have performed their services in accordance
with time and payroll practices of the County Departments. (Listed
page 5)

ZONING

BELCHER OIL COMPANY

The County Attorney read proposed DRI DEVELOPMENT ORDER concerning
the Belcher Oil Company Project:

(Application to develop a Clean Fuels Processing
Facility on a 275-acre site adjacent to the
Belcher Oil Company facilities at Port Manatee,
Florida)

(Application to develop an off-shore deep water tanker
terminal in the Gulf of Mexico(location) to be con-
nected to the clean fuels processing facility at Port
Manatee, Florida.)

There was lengthy discussing concerning the conditions outlined in
the Order, with question by O. E. (Bud) Randle about paragraph 5(b)
in that the applicant has substantially complied with recommendations
of AWARE.

Motion was made by Mr. Dierks to approve D.R.I. Development Order for
Belcher Oil Company as read with the exception that the word "sub-
stantially" be deleted from paragraph 5(b). Motion was seconded by
Mr. McClure and carried unanimously.

RECORDED

CONSTRUCTION TRUST FUNDS

Mr. Hutches moved for the adoption of a Resolution authorizing the
Inter City National Bank, as Trustee for \$11,650,000 Water System Con-
struction Trust Fund to redeem U.S. Treasury Bills due 6/21/74 in the
amount of \$100,000.00. Motion was seconded by Mr. McClure and un-
animously carried.

RESOLUTION RECORDED

V24-53

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

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-66

Louis C. & Ruth M. Cerrito	\$ 439.20
Michael J. & Cleta Norman	125.00
John and Edna Rae	100.00
Pittsburgh Testing Laboratory	72.00

and acceptance of Utility easements for Manatee County Utilities System from LOUIS C. & RUTH M. CERRITO; MICHAEL J. & CLETA NORMAN; JOHN & EDNA RAE. Motion was seconded by Mr. Hutches and carried.

RESOLUTION RECORDED

V24-54

COUNTY BUILDINGS - 6TH AVENUE EAST

For the record, the County Attorney stated that in July 1973 a new law became effective which requires that certain procedures be followed in order to employ an architect, an engineer or land surveyor to perform professional services for the county. In that connection, statement from Douglas Croll, dated 1 March 1974, in the amount of \$2107.43 for services performed concerning alterations and additions to the Manatee County 6th Avenue Complex prompted investigation as to whether or not county needed to comply with that law in order to continue the services of Mr. Croll for that project. The matter was researched and in his opinion the minutes of prior meetings of the Board and correspondence with the Board clearly demonstrates that Mr. Croll was employed long before the Act went into effect, and the Board does not have to go through the process of negotiating with three different architects for that project since he has vested right in proceeding with that project prior to the Act. In view of these findings, consideration for the payment of the bill by the Board would be proper and in order.

Motion was made by Mr. McClure to approve payment of \$2107.43 to Douglas E. Croll, architect, for services in connection with feasibility study and additions to the Sixth Avenue Complex. Motion was seconded by Mr. Hutches and carried unanimously.

BEER CAN ISLAND - DEED

The County Attorney submitted Deed No. 25461 from the Board of Trustees of the Internal Improvement Trust Fund conveying all right, title and interest, claim and demand, which the II Board may have in certain property in Sections 15 and 22, Township 35 South, Range 16 East, and commonly referred to as "Beer Can Island", said conveyance being made subject to the conditions outlined to the Board.

Motion was made by Mr. Hutches that the Board accept Deed No. 25461 from the State of Florida Board of Trustees of the Internal Improvement Trust Fund. Motion was seconded by Mr. Fortson and carried unanimously.

CATV FRANCHISE - TELEPROMPTER

William E. Langendorf, General Manager of Teleprompter, presented statement of income (revenues and operating expense), balance sheet 1973, liabilities and home office control account, in connection with request for increase in rates for CATV service.

Mr. Fortson requested an outline of Teleprompter's planned expansion program and Mr. McClure requested a copy of its 1973 audit, with suggestion that the Deputy Clerk be requested to work with Mr. Langendorf in obtaining audit information. The Board members discussed, but took no action, concerning a public hearing to consider the request for rate increase.

ILLEGAL DUMPING - INJUNCTION

Motion was made by Mr. Fortson that the County Attorney be authorized and instructed to proceed with filing for injunction against Earl Snyder in connection with illegal dumping on 9th Avenue Northwest. Motion was seconded by Mr. Dierks and carried unanimously.

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(Cont'd)

ZONING

Z-91 AMENDMENT TO ZONING ORDINANCE - DUMPING OF WASTE MATERIALS ADOPTED

Planning Commission recommended approval.

Mr. Hutches moved for the adoption of a Resolution amending Section VI, Paragraph 26, Manatee County Zoning Ordinance prohibiting dumping of garbage, offal, dead animals, manure, rubbish or other waste materials in any area of the County outside a sanitary landfill EXCEPT that in an A General Agricultural District, a property/^{owner}may dump upon his own property rubbish accumulated on his property if no health problem, etc., rubbish from other lands may be dumped in said District if approved under Special Exception. Motion was seconded by Mr. Fortson and carried unanimously.

RESOLUTION RECORDED

ZONING
Z-91

CERTIFICATES OF CORRECTION (E & I)

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

CORRESPONDENCE

Correspondence was read from

- 1) WILLIAM F. KUHN, Civil Defense Director
Request advertise for bids on radio equipment

CIVIL DEFENSE - BIDS

Upon motion by Mr. Hutches, seconded by Mr. Dierks, the Board unanimously approved and authorized advertising notice for bids to be received on radio equipment for Civil Defense to establish an emergency preparedness network for warning of disaster and information of need for assistance.

- 2) MARTIN J. WILLIAMS
Re: Pitney-Bowes Postage Machine to Port Authority

COUNTY EQUIPMENT TO PORT AUTHORITY

Motion was made by Mr. McClure that Pitney-Bowes Postage Machine, Model #5500, ASSET NO. 3729, be placed on loan basis to the Manatee County Port Authority and that they be responsible for repair and maintenance of said machine (as recommended by Mr. Williams). Motion was seconded by Mr. Dierks and carried unanimously.

GUN PERMIT (THOMAS)

Motion was made by Mr. McClure that application of LAWRENCE THOMAS for a gun permit be denied. Motion was seconded by Mr. Hutches and carried unanimously.

LIBRARY BOARD (RESIGNATION BAILEY)

Motion was made by Mr. McClure that the resignation of Mrs. Sam Bailey, member of Manatee County Library Board, be accepted with regret. He said the Library Board would submit recommendation for replacement. Motion was seconded by Mr. Dierks, and carried unanimously.

59TH STREET WEST (BICYCLE/WALKING PATH)

The Board acknowledged a letter from Rev. K. B. Baar, Redeemer Lutheran Church, expressing his concern that there was no provision for safety of youths who will be using the new Suggs School via 59th Street W., and requested consideration of bicycle or walking paths. It was pointed out that more than one-half of this street is within the City limits of Bradenton; however, copy of the letter would be sent to the County Engineer for investigation and recommendation.

ZONING

Mr. McClure referred to parcels on 26th Street West that were rezoned for multi-family residences with the understanding that development would be commenced immediately, but were put back on the market for resale. He recommended and moved that these parcels (described in R-587 and R-593) be referred back to the Planning Commission with thought toward rezoning from present zoning back to original zoning R-1AA (Commission initiated request). Motion was seconded by Mr. Dierks and carried unanimously.

Golf Course Revenue Bonds: FINANCING PLANS

Financing Plan for the issuance of \$500,000 revenue bonds to pay for the cost of constructing proposed public golf course was submitted by Russell Hawkes for review by Board members.

WARRANT LISTS

Manatee County Utilities System:

24.4 Sewer Revenue	110 - 120
13.5 Revenue	3650 - 3721
3.485 Revenue	4854 - 4911
1.65 Revenue	999 - 1010
667,500 Revenue	----
General Control	8035 - 8423
Special Construction Fund	161 - 164
24.4 Sewer R & R Acct	103 - 104
13.5 R & R Acct	160 - 161
3.485 R & R Acct	144 - 146
1,650 R & R Acct	147
667,500 R & R Acct	199
General Revenue Fund	30816 - 30832
Road & Bridge Fund	11874 - 11881
Library	637 - 647
Library Reserve	376
Courthouse I & S	428
Hospital I & S	96 - 99
SCORE	308 - 316

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MEETING ADJOURNED

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

Attest:

M. T. McInnis, Clerk

APPROVED: 17 December 1974

M. T. McInnis
Deputy Clerk

[Signature]
Chairman

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*Revenue Sharing	426 - 427
Clearing Account	918 - 1529
Library Talking Books	230 - 237

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