

APRIL 9, 1974

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, April 9, 1974 at 9:15 A. M.

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

The meeting was called to order by Chairman Burton.

#### ZONING

Maurice Goodnight read a letter from the Planning Commission commending the Planning Director and staff.

#### Z-92 AMENDMENT TO MANATEE COUNTY ZONING ORDINANCE (MINING)

Amending Section VI, Paragraph 16.

The Planning Commission recommended approval of the proposed amendment subject to changes outlined by the Planning Director.

Upon suggestion that the Board defer action for one week in order to give more ample time for members to review, Mr. Fischer pointed out that the moratorium on acceptance of applications for mining permits would expire April 10, 1974.

The General Manager of Swift and Company, Dewey Dye, representing W. R. Grace Company, and George Porges, attorney, and representatives of Beker Industries were present to discuss the proposed amendments. During discussion the Board members expressed concern over safety of the watershed and the fact that the Director of the Manatee County Pollution Control had stated that "minimum requirements would not be adequate for Manatee County". Recommendation was made that statement of concurrence be obtained from appropriate departments.

Motion was made by Mr. Fortson that Z-92 be deferred until Thursday morning, April 11, 1974, and that Special Board Meeting be held for the purpose of further considering the proposed amendment. Motion was seconded by Mr. Hutches and carried unanimously.

#### PRIVATE EASEMENT (SUGG)

Al D. Sugg advised that he is in process of selling his property, Lot 21, Cortez Park, but there is objection to the fact that he has no legal access to the property although a shelled drive has served this purpose for a number of years with no problem to the county. The County owns the spoil bank for Cedar Hammock Drain and he needs at least twenty feet to locate an easement so that the shelled portion does not have to be disturbed. (The County owned spoil bank adjoins his property.) This matter was referred to Bob Moon, right-of-way agent, and the county engineer and Board members to make physical review and submit recommendations to the Board the following Thursday.

#### PRIVATE EASEMENT (JORDAN FOR BENSON & BROWNE)

The County Attorney read proposed resolution amending that certain Resolution adopted by the Board on 30th day of January 1973 (Ref. Adrian C. and Helen M. Benson, Durwood A. and Ngathi Browne) to provide for two single family residences to be constructed on Parcel A and two single family residences to be constructed on Parcel B.

Motion was made by Mr. Hutches to adopt the amended Resolution to clarify the original Resolution of January 30, 1973. Motion was

seconded by Mr. Fortson and carried by affirmative vote of Mr. Hutches, Mr. Fortson and Mr. McClure. Chairman Burton voted "No". (Mr. Dierks was absent at call for vote).

RESOLUTION RECORDED

V24-55

## ZONING

Art Fischer, Planning Director, referred to a resolution presented to the Board on January 22, 1974 from civic organizations requesting the Planning Commission and County Commissioners to consider no more requests for rezoning to higher housing density until after the Comprehensive Plan is approved.

Motion by Mr. McClure, seconded by Mr. Hutches, to instruct the County Attorney to draft a resolution along the lines of request for consideration by the Board was withdrawn (at the request of Mr. Dierks) in favor of holding a work session on this subject, with resolution to be considered at the next regular meeting of the Board.

R-587 Rezone from R-1AA to R-3  
R-593 Rezone from R-1AA to R-3

Mr. McClure recommended and moved that the Planning Commission be requested to initiate petition to reconsider action adopting R-3 zoning on R-587 and R-593 with a view toward to rezoning back to the original R-1AA Districts. Motion was seconded by Mr. Hutches and carried unanimously. (Chairman Burton recommended review of all R-3 Districts.)

## ANNA MARIA BEACH SUBDIVISION

Public hearing was opened for the purpose of considering petition of LEE M. TURNER, MACK N. and MARGARET G. BARNES and JEAN FORBES ROBINSON for the vacation of an alleyway in Anna Maria Beach.

Joe Venable, attorney for the petitioners, advised that the City of Anna Maria had disclaimed any right to the alleyway or road and submitted a resolution to that effect.

Public Hearing was closed. Mr. Fortson moved for the adoption of a Resolution granting the petition and closing, vacating and abandoning the alleyway between Lots 15 and 16, and Lot 7, Block 31, Anna Maria Beach. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION

V24-56

## PROJECT NO. 563

Motion was made by Mr. Dierks that the Board accept certificate by the Acting County Engineer that all improvements have been completed in Project No. 563. Motion was seconded by Mr. Hutches and carried unanimously.

## 5TH STREET, ONECO ROAD, 63RD AVENUE (TRAFFIC SIGNAL POLES)

Motion was made by Mr. Fortson that the Acting County Engineer, Bill Baird, be authorized to obtain cost estimates on setting traffic signal poles at three locations: 5th Street, Oneco Road and 63rd Avenue. Motion was seconded by Mr. Dierks and carried unanimously.

## BELCHER OIL COMPANY

Mr. Dierks gave a report on the meeting of Tampa Bay Regional Planning Council, April 8, 1974, and outlined its action regarding Belcher Oil Company and the fact that it would appeal to the State on Manatee County's approval of DRI Development Order for Belcher.

Mr. Fortson expressed concern about the tremendous reaction to this question and whether or not this Board should consider amending the Development Order and submit to the people for referendum. Following discussion as to referendum, George Leposky advised that he and two others (J. W. Rood and Wyatt Blassingame) had retained an attorney and had filed an appeal.

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Mr. Hutches pointed out that this Board voted on concept only to allow Belcher to draw up plans to be presented back to show whether or not they met all air and water standards and present proof that pollution would not exist during their operation.

## CAPITAL FINANCE COMPANY - LEASE

Motion was made by Mr. Dierks that the appropriate county officers be authorized to execute lease between Manatee County and Capital Finance Company, on property formerly owned by C. L. Chaires, rental \$125.00 per month until termination of least on January 1, 1975. Any ad valorem taxes assessed against this property shall be paid by the Lessee. Motion was seconded by Mr. Hutches and carried unanimously.

LEASE RECORDED

V24-57

## KING/COUNTY PROPERTY

Motion was made by Mr. Dierks that parking space tenants, on property county purchased from Dr. King, be notified to pay rent of \$8.00 per month to the County Clerk and assured of spaces for at least 90 days and that they would be given thirty (30) days written notice when the County decides to utilize the property for county facilities. Motion was seconded by Mr. Hutches. Mr. Dierks, Mr. Hutches, Mr. Fortson and Chairman Burton voted "Aye". Mr. McClure voted "No". Motion carried.

## STATE LOAN FUND - SEWAGE TREATMENT FACILITIES

Mr. Hutches moved for the adoption of a Resolution authorizing payment No. 2 from

## SEWAGE TREATMENT FACILITIES REVOLVING LOAN

Woodruff & Sons	\$444,276.95
Clayton Construction	168,983.83
Lee Construction Company	145,643.02
Carl E. Widell & Son	183,092.06
MCUS for Tech Corporation	17,146.35
Giannetti & Lanzo	358,421.50

Motion was seconded by Mr. Fortson and carried unanimously.

RESOLUTION RECORDED

V24-58

## CONSTRUCTION TRUST FUNDS

Motion was made by Mr. Hutches to authorize withdrawal of \$1,317,563.71 from State Funds at First Federal Savings & Loan and transfer to the Construction Trust Account at Inter City National Bank (Account No. 91,43391). Motion was seconded by Mr. Fortson and carried.

Motion was made by Mr. Hutches to authorize execution of request to draw \$1,500,000 from the State Revolving Loan for deposit to Manatee County Utilities System for the following month's estimated payments to contractors, etc. Motion was seconded by Mr. Fortson and carried.

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

## WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 B-10

The Crom Corporation	\$25,380.28
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Motion was seconded by Mr. McClure and carried unanimously.

RESOLUTION RECORDED

V24-59

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

## SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-67

MCUS General Control Fund	\$ 13,853.41
MCUS 24.4 Revenue Fund	2,002.50
Warren Brothers Company	14,814.33

RESOLUTION RECORDED

V24-60

## HOUSEMOVING PERMIT

Motion was made by Mr. Dierks to approve application of

DON YODER to move a building from 2111 1st Street W.,  
Bradenton, to 6011 33rd Street E., Bradenton  
Pre-moving No. 34476A

Motion was seconded by Mr. Hutches and carried unanimously.

## BICYCLE PATHS

Mrs. Helen Dolbec presented a petition expressing a desire for bicycle paths along the main roads of Manatee County. She was advised that the Chamber of Commerce was working on a plan along these lines and it was suggested that she contact the director, Cy Still.

## SAMOSET COMMUNITY CLUB

Upon request by Mrs. Patricia Horton for funds for recreational facilities and equipment for the Samoset Community Club, the Board members advised that such requests must be transmitted through the Parks and Recreation Department.

## PARKS &amp; RECREATION: JOE FINK CONTRACT

Motion was made by Mr. McClure that the appropriate county officers be authorized to execute contract with JOE FINK for construction of restrooms and storage building at the Col. Ken W. Foster Recreation Area at the Pistol and Rifle Range located on Lena Road (\$17,100.00) and that performance bond with Globe Indemnity Company, as surety, be approved. Motion was seconded by Mr. Fortson and carried unanimously.

✓ CONTRACT RECORDED

V24-61

## PROJECT NO. 588

Mr. Hutches moved for the adoption of a Resolution correcting legal description of the GEORGE T. SMITH property in Road Participation Project No. 588, amending page 1 of the Special Assessment Roll relating to this project. Motion was seconded by Mr. McClure and carried unanimously.

✓ RESOLUTION RECORDED

V24-62

## LOT CLEARING LIEN

Motion was made by Mr. Hutches to approve Notice of Lien assessment of \$200.00 against certain lands owned by HOMER A. COOK under File No. LC-706 (Lot Clearing). Motion was seconded by Mr. McClure and carried unanimously.

## FAIR GROUNDS (HORSE SHOW)

The Board deferred action on request by Gene Misch for permission to hold a horse show in May, 1974 (three or four days) at the Fair Grounds, Agricultural Center, Palmetto, pending further information.

Motion was made by Mr. Fortson that Dr. James L. App, County Extension Director (Agricultural) be authorized to charge a total of \$1707.26 for Stadium Jumping, Inc., to use/facilities at the Agricultural Center on March 7-17, 1974 for the Suncoast Tournament of Champions (horse show).

## AGRICULTURAL DEPARTMENT: PERSONNEL

Motion was made by Mr. Fortson that Dr. James App be authorized to employ para-professional personnel for the balance of the fiscal year on a part time basis of 15-17 hours per week at \$4.00 per hour. It was noted that funds may be a problem because cost of equipment authorized purchased at the end of the previous budget year was not included in the new budget and funds for this personnel may not be sufficient without a transfer. Motion was seconded by Mr. Hutches and carried unanimously.

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## BONDS

Upon motion by Mr. McClure, seconded by Mr. Fortson, the Board un-  
animously approved BONDS as follows:

Sheriff's Department

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

✓ ARMANDO L. CANTU	=jailer
✓ FRANCES K. FOLAND	=School Crossing Guard
✓ ROBERT W. SPAHR, JR. )	
✓ CHARLES E. FLINT, JR.)	
✓ WILLIAM G. STEPHENS )	=Regular Posse
✓ ELEANOR L. CARL	=Booking Clerk (rehired)

Voting Machines

R. F. SHOUP COMPANY, INC. Contract Bond #235B8677,  
Travelers Indemnity Company, surety, amount \$28,690.00  
(Install vertical interlocks and primary bars)

Moving and Alteration of Buildings

ROWE MEADE for R. J. Fairbrother (premoving #33965A)  
ROWE MEADE for James Light (premoving #33966A)  
ROWN MEADE for Robert Dennis (premoving #33968A)  
\$1000 each, Auto-Owners, surety

## WARRANT LISTS &amp; REQUISITIONS

Upon motion by Mr. Hutches, seconded by Mr. McClure, the Board un-  
animously approved Requisitions and Warrant Lists from April 2 to  
April 9, 1974 and authorized Warrant Lists to April 16, 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  
May 7, 1974)

## STATE TUBERCULOSIS HOSPITAL

Upon motion by Mr. McClure, seconded by Mr. Hutches, the Board un-  
animously approved application of BILLY PETERSON to enter the State  
(A. G. Holley) Tuberculosis Hospital.

## BILLS

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

Medical Examiners	\$ 1809.42
Manatee Memorial Hospital	\$ 2299.84; \$1182.00
Bradenton Insurance	2947.00 (W/Comp.)

## REFUND

Motion was made by Mr. Hutches that refund of \$100 be authorized to  
James E. Bishop for fees on petition R-679 (withdrawn), as recommended  
by Art Fischer, Planning Director. Motion was seconded by Mr. McClure  
and carried unanimously.

## MEDICAL EXAMINERS

Regarding question as to obligation of Manatee County to pay the  
Medical Examiners for approvals for cremation, Dr. Simpson advised  
that this billing would continue to the county, but he would make  
attempts to recover these fees if no indigent cases are involved.

## CORRESPONDENCE

Correspondence was read from

- 1) R. W. WEITZENFELD, SHERIFF  
Recommendation to withdraw gain time for prisoner.

## SHERIFF'S DEPARTMENT

Motion was made by Mr. Fortson, seconded by Mr. Hutches, that all  
normal gain time for Robert B. DeLaughter be withdrawn and release  
date be changed from April 18, 1974 to June 18, 1974, as recommended  
by Sheriff Weitzenfeld. Motion was carried unanimously.

- 2) ROBERT L. HORKY, Building Director  
Request authority on charges for duplicates.

**BUILDING DEPARTMENT (FEES AND CHARGES)**

Motion was made by Mr. Fortson that the Building Director be authorized to charge \$2.00 for each duplicate permit card and 25 cents for each Xerox copy. Motion was seconded by Mr. McClure and carried unanimously.

- 3) ANCEL CARDER, Director Motor Vehicle Inspection Station  
Request advertise for bids on brake tester.

**MOTOR VEHICLE INSPECTION STATION**

Motion was made by Mr. McClure that bids be invited for a roller-type, flush-type brake tester for the Motor Vehicle Inspection Station and so advertised. This equipment is to replace the platform tester-type machine in the No. 1 lane of the existing facility on 5th Street W. Motion was seconded by Mr. Hutches and carried.

**VETERANS OF FOREIGN WARS**

Motion was made by Mr. Fortson that the Board ratify action by the Chairman in granting permission to the Veterans of Foreign Wars to hold the annual shoot on Cortez Road West, April 7, 1974. Motion was seconded by Mr. Hutches and carried unanimously.

**BIDS: FUELS FOR HIGHWAY DEPARTMENT**

Motion was made by Mr. McClure to acknowledge notice from Standard Oil Company on increase of prices on fuel, under bid for the Highway Department, effective April 6, 1974. Motion was seconded by Mr. Hutches and carried unanimously. (Diesel, Kerosene, Fuel Oil, Heating Fuel.)

**MEETING ADJOURNED**


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

Attest:

M. T. McInnis, Clerk

  
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Deputy Clerk

APPROVED: 17 December 1974

  
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Chairman