

APRIL 30, 1974

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, April 30, 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

Also present were

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

The meeting was called to order by Chairman Burton.

#### ZONING

Recommendations of the Planning Commission (postponed from prior County Commissioners' meeting) were presented by the Planning Director.

R-673 J. KENNETH AND MARGARET L. BROOKS; R-1C APPROVED  
(Dale L. Price, agent) - Request to change present zoning from District PR (Professional) to District R-1B on 4 acres located 5604 through 5620 - 26th Street W.  
The Planning Commission recommended approval.

Mr. Fortson submitted a letter from Wilson F. Wetzler, Vice President of Manatee Junior College, stating that in their opinion the planned Nursing Home complex in the area will be an asset to the community and will in no way affect the operations of the college, and recommending consideration of approval of the zoning petition.

As to necessity for certificate of need in order to construct and operate Nursing Homes, Dale Price advised that this was only if State or Federal funds are involved, which did not apply in this case.

Upon question if rezone could be made to R-1C, which is more restrictive than the requested R-1B, the County Attorney stated this can be done without readvertising and re-hearing. Motion was made by Mr. Fortson that R-673 be approved for rezone from PR (Professional) to R-1C. Motion was seconded by Mr. Hutches. It was brought out during discussion that Robert G. Roskamp had agreed to comply with stipulations to have that portion of 56th Avenue W., adjacent to Lots 8 and 9 designed and constructed in accordance with Manatee County Specifications (concurrent with construction of the nursing home) and to pay his prorata share of the cost of the design and construction of 27th Street W., if and when the Board decides to pave this street. Motion carried unanimously to rezone to R-1C.

SE-687 J. KENNETH AND MARGARET L. BROOKS; NURSING HOME APPROVED  
Request to grant a Special Exception to permit the property described in R-673 to be used for a Nursing Home and Necessary Related Uses.  
The Planning Commission recommended approval.

Motion was made by Mr. Fortson that SE-687 be approved with stipulations that the maximum would be 120 beds in the Nursing Home and that the owner/developer comply with requirements on paving of 56th Avenue W. and 27th Street W. Motion was seconded by Mr. Hutches and carried unanimously.

R-678 FIRST ENVIRONMENTAL SERVICES, INC.; R-1B DENIED  
(J. Harold Chastain, agent) - Request to change zoning from District R1C to District R-1B to change lot size from 15,000 sq. ft. to 10,000 sq. ft. in 49.32 acres m/1 located at 7504 9th Ave. N.W. (Palma Sola Road).  
The Planning Commission recommended denial.

Motion was made by Mr. Fortson that R-678 be denied. Motion was seconded by Mr. Hutches and carried unanimously.

SE-679 THE REV. DANIEL CARRIGAN M/HOME APPROVED

Request to permit a mobilehome as classrooms for educational purposes on 16.2 acres located 966 ft. east of 8th Ave. (Old Tampa Road) on 26th Street, Palmetto.

The Planning Commission recommended approval.

Motion was made by Mr. McClure that SE-679 for The Rev. Daniel Carrigan be approved. Motion was seconded by Mr. Hutches and carried unanimously.

SE-696 A. B. C. LIQUOR, INC. APPROVED

Request to permit a package and lounge establishment for the sale of alcoholic beverages on 4.72 acres located 3407 U.S. 301 Blvd., W., Bradenton.

The Planning Commission recommended approval subject to stipulations outlined in the previous meeting.

Motion was made by Mr. Hutches that SE-696 for A.B.C. LIQUOR, INC., be approved subject to entrance and exit being located where outlined by the County Highway Department and Planning Commission, with protected left turn lane being constructed prior to final inspection (construction of building). Motion was seconded by Mr. Fortson. Voting "Aye" were Commissioners Hutches, Fortson and McClure and Chairman Burton. Mr. Dierks voted "No". Motion carried.

R-661 TAMPA WEST SHORE, INC. P.U.D. DENIED

(Palma Sola Bay Development - William Kaklis, agent)  
Request to change zoning from District Commercial and Residential to Planned Unit Development for multi-family housing (508 housing units) on 60 acres located north of Manatee Avenue W., between Palma Sola Bay and Perico Bayou.

The Planning Commission recommended denial.

A letter was received from V. William Kaklis requesting that the Board withhold any determination on R-661 until all parties have the benefit of the County's Comprehensive Zoning Plan.

The County Attorney advised that this would be an unreasonable period of time, which would be at least October of November, and recommended that the petition not be deferred for an indefinite period of time. Motion was made by Mr. Fortson that R-661 for rezone to P.U.D. be denied. Motion was seconded by Mr. Hutches and carried unanimously.

**BORDEN, INC. - TAX EXEMPT BONDS**

Harold Whitcomb presented recommendation by the Economic Development Committee, Manatee Chamber of Commerce, Inc., that the Board of County Commissioners approve the bond issue, proposed by Borden, Inc., for the purpose of financing pollution control devices, with provisions that the entire cost be borne by Borden, at no expense to the taxpayers of Manatee County.

Motion was made by Mr. Hutches that the County Attorney be instructed to meet with Borden's attorney and draft the appropriate resolution to be presented to this Board at an early date for consideration. Motion was seconded by Mr. Dierks and carried unanimously.

**ORDINANCE NO. 74-5 (CEMETERIES)**

Public hearing was opened for the purpose of considering proposed Ordinance 74-5 concerning operation and maintenance of public cemeteries in Manatee County. The proposed ordinance was read by the County Attorney.

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(Cont'd)

Mr. McClure referred to Section 4 creating a Manatee County Cemetery Advisory Board, stating that the setting up of another Board can be dispensed with and that Dr. Simpson and his staff can recommend policy matters for approval by the Board of County Commissioners.

The public hearing was closed. Mr. McClure moved for the adoption of

ORDINANCE NO. 74-5 AN ORDINANCE OF MANATEE COUNTY, FLORIDA AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA TO OPERATE AND MAINTAIN PUBLIC CEMETERIES WITHIN MANATEE COUNTY; ESTABLISHING THE MANATEE COUNTY HEALTH DIRECTOR AS THE PERSON TO BE CHARGED WITH THE RESPONSIBILITY OF ADMINISTERING THE PROGRAM; AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS TO ADOPT RULES AND REGULATIONS CONCERNING THE OPERATION OF PUBLIC CEMETERIES; AUTHORIZING THE ISSUANCE OF "RIGHTS OF BURIAL"; REQUIRING THAT LEVEL MARKERS BE USED TO MARK ALL GRAVE SITES; AUTHORIZING THE COUNTY TO CHARGE A FEE FOR THE ISSUANCE OF RIGHTS OF BURIAL AND PROVIDING AN EFFECTIVE DATE

with the deletion of all provisions contained therein relating to an Advisory Board. Motion was seconded by Mr. Hutches and unanimously carried.

✓ORDINANCE RECORDED

V24-77

CIVIL DEFENSE - RADIO EQUIPMENT

Motion was made by Mr. Hutches that bid of

TELECON, INC. for radio equipment for	
Civil Defense	\$5,412.75

be accepted as recommended by William Kuhn, Civil Defense Director. Motion was seconded by Mr. Dierks and carried unanimously.

FORT HAMER RECREATION AREA

After report by Robert Moon on ownership of land at Fort Hamer that had been used as picnic area and boat launching facilities by the public for about forty years, the Chairman recommended leasing the property, consisting of about four acres.

Motion was made by Mr. Dierks that Mr. Moon be authorized to work out lease agreement with the owners (in trust) for continued use of the property for recreational purposes (County). Motion was seconded by Mr. Fortson and carried unanimously.

AMBULANCE & MOTOR VEHICLE INSPECTION STATIONS

RE: SETTLEMENT CONDEMNATION

Mr. Moon advised that the owners of property involved in condemnation suit Manatee County vs Windmill Village, for acquisition of site for sub-stations for Manatee County Ambulance Service and Motor Vehicle Inspections, had agreed to accept \$26,250 in settlement (property appraisal \$25,000.00).

Motion was made by Mr. Dierks that settlement of the suit for \$26,250.00 be authorized and that deposit of these funds be made with the Registry of Court for this purpose. Motion was seconded by Mr. McClure and carried unanimously.

\$13.5 RESERVE ACCOUNT - INVESTMENT

Mr. Fortson moved for the adoption of a Resolution authorizing Chemical Bank to invest \$186,781.28 in a 90-day Certificate of Deposit, 10 per cent annual rate - \$13.5 Reserve Account. Motion was seconded by Mr. Hutches and unanimously carried.

✓RESOLUTION RECORDED

V24-78

## SANITARY SEWERAGE PROJECT: PART D, SECTIONS III, IV

Motion was made by Mr. Hutches that the Consulting Engineers be authorized to advertise for bids to be received on construction of Manatee County Sanitary Sewerage Project: Part D, Sections III and IV, said bids to be opened June 4, 1974. (51st Street). Motion was seconded by Mr. Dierks and carried unanimously.

(Note: This is in error and should not be included in the record)

## CORRECTION: MASTER LIFT STATION

Motion was made by Mr. Hutches to advertise for bids on construction of a master lift station at 51st Street, said bids to be received for opening June 4, 1974. Motion was seconded by Mr. Fortson and carried.

## SEWAGE TREATMENT FACILITIES: PART A - SECTION I

Motion was made by Mr. Fortson that the Consulting Engineers be authorized to prepare change order in contract of Carl E. Widell & Son to allow substitution of type of chain link fence used at the Laboratory and Maintenance Complex in lieu of contract specifications (fabric, line posts, terminal posts, top rail and bracing), which would result in credit of \$5,128.34 in Sewage Treatment Facilities: Part A - Section I. Motion was seconded by Mr. Dierks and carried.

## AMBULANCE STATION (BID)

Motion was made by Mr. Fortson that the Board accept bid from JOSEPH FINK for construction of an Ambulance Station, for the total sum of \$16,000.00 with completion date within 90 days instead of 120 days. Motion was seconded by Mr. Dierks and carried unanimously.

## PALMETTO AMBULANCE STATION SITE

## LEASE: CITY OF PALMETTO

Motion was made by Mr. McClure that the appropriate county officers be authorized to execute lease between the City of Palmetto and Manatee County on property in Palmetto on which county agrees to construct an ambulance station; terms twenty-five years with option for renewal for an additional term of twenty-five years. Motion was seconded by Mr. Hutches and carried unanimously.

LEASE RECORDED

V24-79

## BUDGET AMENDMENT: AMBULANCE SERVICE

Motion was made by Mr. McClure that item to item transfer be authorized as follows:

Ambulance Service

From Salaries to Capital Improvements \$18,500.00

Motion was seconded by Mr. Dierks and carried unanimously.

## LAKE MANATEE RECREATION AREA (H U D)

Motion was made by Mr. Fortson that the appropriate County Officers be authorized to execute Certification that there has been no change in the use of Lake Manatee Recreation Area other than the open-space use for which a federal grant was made (Project No. FLA. OSA-12) and no leases, easements or any other disposal of interest other than those approved by the Department of Housing and Urban Development. Motion was seconded by Mr. Dierks and carried unanimously.

## EASEMENT: MANATEE COUNTY UTILITIES SYSTEM

Upon motion by Mr. Fortson, seconded by Mr. McClure, easement from HENRY CLAUDE and KATHERINE LOGGINS JONES (for Manatee County Utilities System) was unanimously accepted.

## CONSTRUCTION TRUST FUND

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

## WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 B-10

Manatee County Right-of-way Department \$2,793.00

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(Cont'd)

Motion was seconded by Mr. McClure and carried unanimously.

RESOLUTION RECORDED

✓ V24-80

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

## SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-70

Glenn H. Lucas and Dwight E. & Aileen Lucas	\$1,256.00
Joyce A. Chick	230.00
William Norton & Esther M. Norton	147.62
Wilfred L. & Mildred Schrader	128.60

Motion was seconded by Mr. McClure and carried unanimously. Include in motion acceptance of Manatee County Utilities easements from GLENN H. LUCAS and DWIGHT E. & AILEEN LUCAS, JOYCE A. CHICK, WILLIAM and ESTHER M. NORTON, WILDRED and MILDRED SCHRADER.

✓ RESOLUTION RECORDED

V24-81

## PARKS &amp; RECREATION; MANATEE BEACH

## AGREEMENT: ANNA MARIA ISLAND KIWANIS CLUB

Motion was made by Mr. Fortson that the Board approve and authorize execution, by the appropriate county officers, Agreement between Manatee County Park and Recreation Board and the Anna Maria Island Kiwanis Club for exclusive right to restaurant and sundries concession at Manatee Beach for a period of three years. Motion was seconded by Mr. McClure and carried unanimously.

✓ RESOLUTION RECORDED

V24-82

## BAHIA VISTA SUBDIVISION - PLAT

Motion was made by Mr. Fortson that plat of Bahia Vista Subdivision, located in the City of Palmetto, be approved. Motion was seconded by Mr. McClure and carried unanimously.

## ORDINANCE NO. 74-3 (SUBDIVISION REGULATIONS- AFFIDAVIT)

Mr. Fortson moved for the adoption of a Resolution approving and adopting form of Affidavit to properly implement the provisions of Section 2A)4) of Manatee County Ordinance 74-3 for property owners to file with applications for building permits under this ordinance. Motion was seconded by Mr. Hutches and unanimously carried.

✓ RESOLUTION RECORDED

V24-83

## LEGISLATION: WATER MANAGEMENT; SPECIAL DISTRICTS

Mr. Dierks moved for the adoption of a Resolution opposing passage of proposed legislation relating to water management and authority to issue revenue bonds; providing for acquisition of real property and directing that laws creating Southwest Florida Water Management District and Central and South Florida Flood District be included in Chapter 373, Florida Statutes; also Senate Bill 614 relating to Special Districts (House Bill 3265 abolishing certain districts as local, etc.) Motion was seconded by Mr. Hutches and carried unanimously.

✓ RESOLUTION RECORDED

V24-84

## BRADENTON BEACH, CITY OF

Motion was made by Mr. Hutches to grant request of City of Bradenton Beach for payment of \$7500.00 appropriation for policing Coquina Beach. Motion was seconded by Mr. Fortson and carried unanimously.

## WARRANT LISTS &amp; REQUISITIONS

Upon motion by Mr. Fortson, seconded by Mr. Hutches, the Board un-animously approved Requisitions and Warrant Lists from April 23 to April 30, 1974 and authorized Warrant Lists to May 7, 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 May 7, 1974.)

## BILLS FOR PAYMENT

Upon motion by Mr. Hutches, seconded by Mr. Dierks, the following bills were unanimously approved for payment:

Goodrich & Hampton (Weitzenfeld vs County)	\$ 3880.00
Sarasota Memorial Hospital	1437.40
Manatee Memorial Hospital	\$450.00; \$ 1519.00; \$3853.91
Professional Ancillary Services, Inc.	100.00
(Account #8404, #2516)	

## MYAKKA RIVER BASIN

Mr. Hutches read a letter from Representative Robert M. Johnson (Sarasota County) concerning proposal for funding a program of flood mapping of the Myakka River Basin through federal, state and local governments. This would require matching funds from Manatee and Sarasota Counties in the amount of \$6250.00 each for this fiscal year and \$11,875 next fiscal year from each county. Total cost of the program would be \$120,000 with appropriations from counties \$36,250.00, from state \$23,750.00 and from federal sources \$60,000.00. Sarasota County had approved participation in the joint project and had made commitment of \$6250.00 for this fiscal year. He outlined the scope of the program in detail and the beneficial data that would be available once the project is completed.

Motion by Mr. Hutches that this Board go on record as approving this program and sending the appropriate letter (similar to that from Sarasota County) approving and committing the amount of \$6250.00 for this purpose, to Representative Johnson, was withdrawn in favor of further discussion at a later date.

## CITIES TRANSIT

H. R. Lewis and Morton Clark were present in connection with proposal and request for Manatee County to subsidize bus service for the county.

Recommendations were made by Mr. McClure to (1) provide subsidy to Cities Transit, Inc., not to exceed \$7000 per month to support continuance of bus service in Manatee County (2) apply immediately to the federal government for eight new buses for Cities Service (3) establish Transit Authority, with the Board of County Commissioners sitting as this Authority, in order to qualify for federal funds.

Mr. Lewis, representing Cities Transit, concurred with the recommendations, stating that if approved every effort would be made to upgrade the equipment and service; otherwise, the firm will be forced to curtail service. Mr. Clark urged favorable consideration of the proposal.

After discussion, action was deferred for one week.

## MEETING ADJOURNED


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

Attest:

M. T. McInnis, Clerk

  
Deputy Clerk

APPROVED: 17 December 1974

  
Chairman