

MAY 28, 1974

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, May 28, 1974 at 9:04 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	Henry E. Bourne, Deputy Clerk Richard A. Hampton, County Attorney

The meeting was called to order by Chairman Burton.

VOTING MACHINE STORAGE BUILDING

Motion was made by Mr. Fortson to authorize advertising Invitation for Bids to be received on construction of a metal building to be located on 26th Street East (County Shop area) to be used for storage of the voting machines presently stored in annex to the County Highway and Engineering Department on 6th Avenue East. Motion was seconded by Mr. McClure and carried unanimously.

ZONING

Recommendations of the Planning Commission were presented on

D.R.I-4 BEKER INDUSTRIES CORPORATION

Application for Development of Regional Impact for phosphate mining on 9,165 acres located on the north and south side of State Road 64, approximately 9 miles east of Waterbury Road (SR 675).

SE-716

Requesting a Special Exception for phosphate mining in an A-General Agriculture District in accordance with Sect. VI, Paragraph 16 of Manatee County Zoning Ordinance.

E. S. (Bud) Reasoner, member of the Planning Commission and Chairman of the Special Exception sub-committee read the Planning Commission's report and recommendation for approval of the Master Plan as submitted by Beker Industries Corporation and approval of the Special Exception for phosphate mining on the property. The Planning Commission further recommended that the provisions of SECT. VI, paragraph 2 of the Manatee County Zoning Ordinance be waived and that the Special Exception be granted for a period of 20 years - failure of applicants to comply with Sect. VI, para. 16 to result in cancellation of Special Exception if awarded. Reasons for recommendations outlined.

Gregory Porges, with the firm of Harrison, Johnston, Harllee and Porges, attorney for Beker Industries, advised that the DRI study had been before Tampa Bay Regional Planning Council, and although denied by its executive council, the technical staff generally wrote a very favorable report. He said presentations would briefly outline Beker's plan for mining, reclamation of land after mining, water quantity, amount of water to be used and water quality - status of water after it has been used - and show how the residents of the county will be protected in certain areas of concern. He pointed out that if the Special Exception is granted there still are many other agencies' requirements to be met. He noted the increase in tax revenue, site improvement and potential for increase in Manatee County water storage system.

Louis G. Bartow, vice president of Beker Industries, gave background of the corporation, descriptions and purposes of land use and outlined activities in other locations.

Presentations were made by the following on behalf of Beker:

Maynard Leeton - Reclamation and conservation;
Dr. Joe Edmunston - Ecologist, Environmental Consultant;
David Frazier - with Erickson Engineering Assoc., - Dredge
 Consultants and dredge designers;
Dr. Anwar Wissa, chief engineer, Ardaman Associates -
 Dam Consultant;
Richard Fountain, owner of Richard Fountain Associates -
 Hydrological consulting firm studying the various
 supply and water related problems concerned with
 the Beker project;
Les Bromwell, consulting engineer and expert on clays and
 soils.

Discussion followed these presentations with questions from the Board members to the consultants and Beker representatives.

The Chairman declared a five-minute recess.

RECESS

Following a short recess the Board reconvened and resumed discussion of phosphate mining by Beker Industries.

Among those present and making comments on the proposed D.R.I.-4 and Special Exception for Beker Industries were

Lew Stotz, representing a committee from Bayshore Gardens Homeowners Association who are concerned about water supply urged the Board to give this matter serious consideration;

Dick Blankenship, representing persons from the areas of the beaches, Flamingo Cay, Village Green, Shaw's Point, Riverview Boulevard, East Bradenton and other areas, also members of the Palma Sola Park Association, expressed grave doubts because of the close proximity of the proposed mining location to Lake Manatee and its tributaries, concern about water drawn by phosphate industries which result in decline in water levels; salt water intrusion, and other problems. He urged safeguarding water resources and disapproval of the Beker request.

Edwin G. Moline - urged county not take risk of damaging water supply;

Clarence Love, Sr. - for approval of Beker applications.

Mrs. Zelda Griffin - endorsed presentation by D. Blankenship and urged denial of application.

Homer Greer - comparison of tax revenue from Longboat Key and Beker proposal. (Condominiums vs phosphate)

O. E. Randle, Jr., Pollution Control Director, referred to proposal for in-depth study of water supply several years ago; discussed Beker application with Mr. Dykes, Administrator of Water Supply Section for the Division of Health and Rehabilitative Services, who pointed out Board's responsibility for protecting county water supply, mining operations poses serious threat to large group of people when considering past experiences with such operations in the area - failures of dams, use of kerosene and acid, hazardous materials as far as public water supply concerned.

Mrs. Homer Greer - objections; concerned about pollutants, salt water intrusion;

Mrs. L. M. Rousch (letter) - opposing;

Ted Gallo - supports move on the part of Beker, feels proper safeguards will be taken to protect water supply, etc.

MAY 28, 1974

(Cont'd)

In rebuttal to points in opposition, Mr. Porges and Mr. Bartow noted that monitoring would indicate any salt water intrusion before it occurs; catastrophies in Peace River happened before Department of Pollution Control regulations, no county services required for Beker but required for condominiums, no poisonous aspects of phosphates as Beker will be producing fertilizer, not detergents.

Chairman Burton stated that if there were no objections recommendations by Board members would be made the following Thursday, but the hearing would not be reopened. There were no objections.

PROJECT NO. 588 (CONSTRUCTION)

Sealed bids received for reconstruction of Project No. 588 (9th Ave. N.W. to 67th St. N.W.) were opened and fead from

SCOTT COLE, INC.
EARL COLLINS PAVING
WENDELL KENT & COMPANY
WARREN BROTHERS

and referred to the County Engineer for tabulation and recommendation.

COUNTY EMPLOYEES: TRAVEL

Motion was made by Mr. Hutches that authority to travel be granted Carlos Ugarte, County Engineer, and Bill Baird, Assistant County Engineer, to go to Starke, Florida, to view and purchase surplus property. Motion was seconded by Mr. Dierks and carried.

SPANISH PARK SUBDIVISION, FIRST ADDITION

Upon certification by the Assistant County Engineer that streets and drainage in Spanish Park Subdivision, First Addition, are complete in accordance with plans and specifications, motion was made by Mr. Fortson that the improvements (including water and sewer systems) be accepted for county maintenance. Motion was seconded by Mr. Hutches and carried unanimously. (Letter of approval from Chris Angelidis, director, Manatee County Utilities System.)

ORDINANCE: BELCHER OIL REFERENDUM

Motion was made by Mr. McClure that public hearing be held on June 18, 1974 on proposed ordinance providing for question of Belcher Oil Company to be placed on the ballot of September 10, 1974. (Special Referendum) Motion was seconded by Mr. Fortson and carried unanimously.

ORDINANCE: HOUSEMOVING

Proposed ordinance for the purpose of regulating hours for moving buildings over state highways, scheduled for public hearing on June 18, 1974, was read by the County Attorney. Discuss in work session the following Thursday.

CITIES TRANSIT

The County Attorney submitted proposed contract with Cities Transit, Inc., providing for county to pay \$7000 per month for six months - on month to month basis - termination upon twenty days written notice. The matter was discussed and also question raised as to bus service to Anna Maria Island beaches. Mr. H. E. Lewis noted that bus service to the beaches was not economically feasible and probably would be necessary to go through the Service Commission.

CLERK OF CIRCUIT COURT - COUNTY ATTORNEY DEFEND SUIT

Upon notice by Mr. M. T. McInnis, Clerk of Circuit Court, that suit had been filed against him by U. S. Leasing Corporation in connection with equipment leased by a former county judge, motion was made by Mr. Dierks that the County Attorney be authorized to defend the Clerk in this suit. The equipment in question was unsatisfactory and had been returned to the seller. Motion was seconded by Mr. Hutches and carried unanimously.

STATE ROAD 684-MCUS PERMIT

Mr. Hutches moved for the adoption of a Resolution authorizing execution of application to the Department of Transportation for a Use Permit for Manatee County Utilities System to construct, operate and maintain a utility sanitary sewer system within the right of way of State Road 684, Section No. 13040. Motion was seconded by Mr. McClure and carried unanimously.

RESOLUTION RECORDED V24-101

AGRICULTURAL CENTER - LEASE SOIL CONSERVATION SERVICE

Motion was made by Mr. Fortson that the appropriate county officers be authorized to execute renewal agreement to lease office space in the Agricultural Center, Palmetto, Florida, to the U. S. Department of Agriculture, Soil Conservation Service (\$75.00 per month from July 1, 1974 to June 30, 1974). Motion was seconded by Mr. Hutches and carried unanimously.

AGREEMENT RECORDED V24-102

SEWAGE TREATMENT FACILITIES REVOLVING LOAN

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

SEWAGE TREATMENT FACILITIES REVOLVING LOAN

Payment No. 4

Clayton Construction Company	\$56,768.61
------------------------------	-------------

Motion was seconded by Mr. Dierks and carried unanimously. (Motion to include authorization for Chairman to execute Withdrawal of Funds from 1st Federal Savings & Loan Association for \$56,768.61 for deposit to checking account in the 1st National Bank for payment of No. 4)

RESOLUTION RECORDED V24-103

CONSTRUCTION TRUST FUNDS

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

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 D-45

Russell & Axon	(\$23,911.24
	(1,399.62
Inter City National Bank	13,706.78

Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED V24-104

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

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 D-10

Russell & Axon	(\$ 204.00
	(89.88

Motion was seconded by Mr. McClure and carried unanimously.

RESOLUTION RECORDED V24-105

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

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-73

Kell Construction, Inc.	\$ 731.24
Pittsburgh Testing Laboratory	384.00
Tommy D. & Marie C. Badley	301.28
Cora M. McKnight	271.96
Charles E. Walsh	930.73
Patricia K. Walsh	359.10
John W. & Edith H. Miles	(520.00
	(239.16
Charles D. (Sr.) & Gloria Z. East	145.40
Edward B. & Lucille B. Evans	251.92

MAY 28, 1974

(Cont'd)

and acceptance of Manatee County Utilities System easements from TOMMY D. & MARIA C. BADLEY; CORA M. McKNIGHT; CHARLES E. WALSH; PATRICIA K. WALSH; JOHN. W. & EDITH H. MILES; JOHN W. & EDITH H. MILES; CHARLES D. (SR.) & GLORIA Z. EAST; EDWARD B. & LUCILLE B. EVANS. Motion was seconded by Mr. McClure and carried unanimously.

✓RESOLUTION RECORDED

V24-106

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

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 B-12

Pittsburgh Testing Laboratory \$107.50

Motion was seconded by Mr. Fortson and carried unanimously.

✓RESOLUTION RECORDED

V24-107

RIVER ISLES, UNIT 2-A (PLAT APPROVED)

Motion was made by Mr. Hutches that final plat of RIVER ISLES, UNIT 2-A, be approved. (In City of Bradenton) Motion was seconded by Mr. McClure and carried.

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Hutches, seconded by Mr. McClure, the Board unanimously approved Requisitions and Warrant Lists from May 21 to May 28, 1974 and authorized Warrant Lists to June 4, 1974, said Warrant Lists to include any payrolls during that period upon condition that all employees have performed their services in accordance with payroll practices of the county departments. (Listed 6/4/74)

LIBRARY SYSTEM: RESIGNATION OF DIRECTOR

Mrs. Marianne Hough submitted resignation as Director of the Manatee County Library System effective at convenience of the Commission, with request no later than July 1, 1974, preferably by 5:00 P.M., May 28, 1974. (Letter dated May 24, 1974)

Motion was made by Mr. McClure that Mrs. Hough's resignation be accepted, effective June 25, 1974 and that she receive full pay in compensation through June 25th and entitled to take whatever accumulated vacation time that she may have between May 28 and June 25. Motion was seconded by Mr. Hutches and carried unanimously.

LIBRARY SYSTEM: INTERIM DIRECTOR

Motion was made by Mr. McClure to authorize the County Library Board to employ Mrs. Catherine Ramsey as temporary director on interim basis while interviewing and considering selection of a new director, subject to approval of a personnel slip on pay schedule. Motion was seconded by Mr. Dierks and carried unanimously.

COUNTY EMPLOYEES - PAYROLL

Motion was made by Mr. Fortson that wage rate changes for employees in county departments (1) Custodian (2) Library (3) Ambulance (4) Elections and (5) Part time be approved, effective on 24 May 1974 payroll. Motion was seconded by Mr. Hutches and carried unanimously.

BILLS FOR PAYMENT

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

Refunds for overpayments to Manatee County	
Ambulance Service: (double payments)	
To- Mrs. Stickel (Charles)	\$27.50
Catherine Smith	27.50
Edward Bruns	27.50

MAY 28, 1974

(Cont'd)

BUILDING DEPARTMENT (EMPLOYEE)

Motion was made by Mr. Dierks that Richard Barricklow, chief building inspector, be granted leave of absence (had been on sick leave) and permitted to make payments of premiums to keep in force his health insurance with dependant coverage. Motion was seconded by Mr. Hutches and carried unanimously.

BUILDING DEPARTMENT: LEASE AUTO

Motion was made by Mr. Dierks that the Building Director be authorized to arrange for lease of a Datsun sedan to be used by Howard R. Roughead, building inspector. This would be an addition to the present lease agreement with Balsinger Motors. Motion was seconded by Mr. Hutches and carried unanimously.

ORDINANCE: COUNTY OFFICERS' TRAVEL

Motion was made by Mr. Hutches that the County Attorney be authorized to draft an ordinance increasing reimbursement and allowance for travel by county officers. Motion was seconded by Mr. Fortson and carried.

MEETING ADJOURNED

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

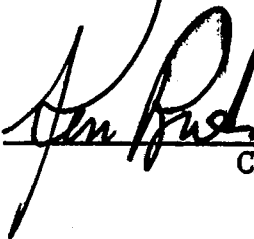
Attest:

M. T. McInnis, Clerk



Deputy Clerk

APPROVED: 17 December 1974



Chairman