

JUNE 4, 1974

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, June 4, 1974 at 9:02 A. M.

Present were Commissioners                     Robert C. Hutches, Vice Chairman  
   Dan P. McClure  
   L. H. Fortson, Jr.  
   Kenneth D. Dierks

Present also were                                 Henry E. Bourne, Deputy Clerk  
   Richard A. Hampton, County Attorney

Chairman Ken Burton was not present.

The meeting was called to order by Vice Chairman Hutches.

**ORDINANCE NO. 74-6: PUBLIC TRANSPORTATION SYSTEM**

Public hearing was opened on proposed Ordinance authorizing the Board to establish, operate and maintain Public Transportation Systems within Manatee County. The County Attorney read the ordinance (published as No. 74-5, but correct number is 74-6).

Mr. Dierks stated that he would like to include in the ordinance that the busses (owned and operated by Cities Transit, Inc.) be checked each month by Manatee County Motor Vehicle Inspection Department at no cost to the bus company. There were no objections; however, the County Attorney suggested that this be discussed and written into the contract (agreement) between Manatee County and Cities Transit, Inc.

Upon question, the County Attorney advised that limitations can be imposed by any municipality by municipal ordinance (operation of busses within municipalities). As to Transit Authority, he referred to statutory provisions for establishing or creating such Authority.

Public Hearing was closed. Mr. McClure moved for the adoption of

ORDINANCE NO. 74-6

AN ORDINANCE OF MANATEE COUNTY, FLORIDA AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA TO ESTABLISH, OPERATE AND MAINTAIN PUBLIC TRANSPORTATION SYSTEMS WITHIN MANATEE COUNTY, FLORIDA; DEFINING THE TERM "PUBLIC TRANSPORTATION SYSTEM"; SETTING FORTH THE POWERS WHICH MAY BE EXERCISED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, IN ESTABLISHING OPERATING AND MAINTAINING PUBLIC TRANSPORTATION SYSTEMS; AUTHORIZING MANATEE COUNTY TO ISSUE BONDS TO CARRY OUT THE PURPOSE OF THE ORDINANCE; PROVIDING THAT THE ORDINANCE SHALL BE APPLICABLE TO ALL LANDS WITHIN MANATEE COUNTY, FLORIDA, AND PROVIDING AN EFFECTIVE DATE.

Motion was seconded by Mr. Dierks and carried unanimously.

ORDINANCE RECORDED

V24-108

**PROJECT NO. 588-A**

Public hearing was opened for the purpose of hearing objections to Special Improvements proposed on

PROJECT NO. 588-A                     9th Avenue N.W. from end of  
   Project 588 east to 66th Street  
   W. (250 feet, plus or minus)

Robert Moon, Right-of-way agent, advised that the cost would be \$13.28 per front foot (based on cost of initial project 588) and involves five properties.

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(Cont'd)

The following property owners appeared before the Board in objection to the proposed street improvements and paving:

Francis Owen, for himself and other property owners (Foyer)  
Mrs. Hubbard (Mary)  
David Boyer  
Mrs. Shirley Stace

Public hearing was closed. Motion was made by Mr. Fortson that the proposed Special Improvements in Project No. 588-A be denied in light of the fact that all property owners opposed the project. Motion was seconded by Mr. Dierks and carried unanimously.

#### BAYOU HARBOR

The Board deferred action on offer by property owners in Bayou Harbor (Bayou Harbor Property Owners, Inc.) to give a 60 ft. x 100 ft. lot to the county, to be set aside as a public community area, pending review of the zoning and determination of feasibility of accepting the parcel (use and maintenance, etc.).

#### SECONDARY ROAD FUNDS - AMENDED BUDGET

Mr. Dierks moved for the adoption of a Resolution concurring in the use of Secondary Road Funds for Fiscal Years 1974-1979 on listed projects and their inclusion in the Florida Department of Transportation's annual budget (as amended) and program for the five-year period. Motion was seconded by Mr. Fortson and carried unanimously.

RESOLUTION RECORDED

V24-109

#### COUNTY PROPERTY - EXCHANGE

There were no objections to Mr. Moon's proceeding with transaction to exchange county owned property off 75th Street for property owned by B & D Corporation adjacent to the recreational complex.

#### CORTEZ BEACH SUBDIVISION

Public Hearing was opened for the purpose of considering petition of Martha Sue Logan and Brightman J. Skinner, Jr., as Trustees of that certain trust created by agreement dated July 31, 1970, between Martha G. Skinner, as Grantor and Martha Sue Logan and Brightman J. Skinner, Jr., as Trustees, to vacate part of 14th Street South as shown on the plat of Cortez Beach Subdivision.

Robert G. Blalock, attorney for the petitioners, stated that the City of Bradenton Beach, in which municipality the property is located, had approved the vacation as evidenced by copy of Resolution No. 280, adopted February 7, 1974 by that body.

Mr. Fortson relayed request from the Mayor of the City of Bradenton Beach that this Board withhold action on this petition until some questions are cleared up concerning a road running to the Bay.

Public hearing was closed. The Vice Chairman stated that if there were no objections this matter would be postponed until June 11, 1974. There were no objections.

#### LOT CLEARING

Public hearing was opened for the purpose of considering petition

LC-728 Laura Shanks, alleging that certain land owned by J. B. Williams had not been cleared in accordance with requirements of Section 2 of Chapter 69-1284, Laws of Florida, Special Acts of 1969.

Bud Sackett advised that the property owner had refused certified mail notifying him of the proceedings; that the lot had not been mowed for two years, and that this was a legitimate complaint.

Public hearing was closed. Mr. McClure moved for the adoption of a Resolution finding and determining that the property owner, J. B. Williams, had failed to comply with the Lot Clearing law and demanding that he take corrective action with regard to said land within fifteen (15) days. Motion was seconded by Mr. Fortson and carried unanimously.

RESOLUTION RECORDED

V24-110

SEWERAGE PROJECT: PART D, SECTIONS III, IV

Sealed bids received on construction of Sanitary Sewerage Project -- Part D, Sections III and IV, were opened and read from the following:

WOODRUFF & SONS

Sect. III: No bid; Sect. IV: \$516,538.00

PATTERSON & WILDER

Sect. III: No bid; Sect. IV: \$471,562.00

TADCO CONSTRUCTION COMPANY

Sect. III: \$404,600.00, Alt. \$387,600.00; Sect. IV: \$534,726.70  
(Note: If both sections awarded, deduct \$5,000 from contract price.)

CARL E. WIDELL & SON

Sect. III: \$420,000.00; Alt. \$390,000.00; Sect. IV: No bid

LEE CONSTRUCTION COMPANY OF SANFORD

Sect. III: \$396,000.00; Alt. \$375,000.00; Sect. IV: \$542,512.00

BOYCE COMPANY

Sect. III: No bid; Sect. IV: \$506,509.40

TECH CORPORATION

Sect. III: \$418,294.00; Alt. \$398,112.00; Sect. IV: No bid

CFW CONSTRUCTION COMPANY, INC.

Sect. III: No bid; Sect. IV: \$552,744.00

JOBA CONSTRUCTION COMPANY, INC.

Sect. III: No bid; Sect. IV: \$519,919.00

UNIVERSAL CONSTRUCTION INDUSTRIES, INC.

Sect. III: No bid; Sect. IV: \$548,494.50

(Note: Quote includes escalation factor for delivered price of pipe; if prices remain today level deduct of \$20,000 will be allowed) (Bid bond \$27,140.90 plus cash \$300.00)

LATCO UTILITIES, INC.

Sect. III: No bid; Sect. IV: \$648,326.30

GIANNETTI BROS. CONSTRUCTION COMPANY, INC., and LANZO

CONSTRUCTION COMPANY (A joint venture)

Sect. III: \$336,655.00; Sect. IV: \$553,570.00

(Note: Proposal based on award for both sections. If awarded both sections deduct 2% from lump sum price of both; will not accept one individual section.)

The bids were referred to the Consulting Engineers for tabulation and recommendation back to the Board.

S/TREATMENT FACILITIES REVOLVING LOAN

Motion was made by Mr. McClure that the appropriate county officer be authorized to execute application for withdrawal of funds in the amount of \$121,166.95 from 1st Federal Savings & Loan to deposit in the Revolving Loan Account, and that Resolution be adopted authorizing payment of

SEWAGE TREATMENT FACILITIES REVOLVING LOAN

Payment No. 5

Chris Nelsen & Son, Inc.	\$ 88,348.22
Tech Corporation & Assoc.	32,818.72

Motion was seconded by Mr. Fortson and carried unanimously.

RESOLUTION RECORDED

V24-111

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(Cont'd)

## CONSTRUCTION TRUST FUNDS

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

## WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 B-13

Pittsburgh Testing Lab. \$167.50

Motion was seconded by Mr. Dierks and carried unanimously.

✓ RESOLUTION RECORDED

V24-112

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

## SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-74

Josie L. White	\$450.00
Delores R. Fiasconaro	389.48
Lawrence F. & Ida Pond	291.50
Minnie A. Brandenburg (L/E clause) & Juanita Mae Pry	160.00
Leo Mills & Assoc.	62.50

Motion was seconded by Mr. McClure and carried unanimously. Motion included acceptance of Easements for Manatee County Utilities System from JOSIE L. WHITE; DELORES R. FIASCONARO; LAWRENCE F. & IDA POND; MINNIE A. BRANDENBURG and JUANITA MAE PRY.

✓ RESOLUTION RECORDED

V24-113

## SEABOARD COAST LINE RAILROAD - MCUS PERMIT; AGREEMENT

Mr. Fortson moved for the adoption of a Resolution authorizing execution of application for pipe line crossing under properties and tracks of the Seaboard Coast Line Railroad Company, permit for Manatee County Utilities System to install 36-inch pipe RR mile post 887 to 4379 so. MP 879. Motion was seconded by Mr. McClure and carried unanimously.

✓ RESOLUTION RECORDED

V24-114

Mr. McClure moved for the adoption of a Resolution authorizing execution of agreement with Seaboard Coast Line Railroad Company for Manatee County Utilities System to install water main across right-of-way and underneath SCL track within the limits of 67th Avenue East, Tallavast, Florida. Motion was seconded by Mr. Dierks and carried.

✓ RESOLUTION RECORDED

V24-115

## HOUSEMOVING PERMIT (GARDNER) (WALKER)

Motion was made by Mr. McClure, seconded by Mr. Fortson and carried, to approve application of

R. C. GARDNER to move a building from 6223 14th St. W., Bradenton to 96th Ave., off U.S. 301, east of Ellenton, Pre-moving No. 35119A

Motion was made by Mr. McClure, seconded by Mr. Fortson and carried, to approve application of

EDWARD M. WALKER, JR., to move a building from 1510 - 8th Ave. W. to 1-3/8 mi. east of SR 683 on Erie Road  
Pre-moving No. 35184

## PROJECT NO. 588 - BIDS

Carlos Ugarte, County Engineer, stated that the lowest bid on Project No. 588 was submitted by Wendell Kent, and recommended approval of this bid.

Motion was made by Mr. Fortson that the bid submitted by WENDELL KENT in the amount of \$95,853.20 for construction of Project No. 588 be accepted. Motion was seconded by Mr. Dierks and carried unanimously.

## PALMA SOLA SCHOOL (71ST STREET W.)

Mr. Fortson said the Palma Sola School PTA had asked that the county pipe the large ditch along the side of the property so it would not be a hazard to the children, that the sewer contractor is working along 71st Street and agreed to install the pipe if someone would furnish it (about 600 feet). He recommended that the School Board be approached to see if they would pay one-half the cost of the pipe if the county would pay one-half and let the contractor install it at no cost to the county. The Vice Chairman stated that if there were no objections Mr. Fortson would be appointed to confer with the School Board on this matter. There were no objections. (Estimated cost of the pipe \$20,000.)

## COUNTY BUILDING - 6TH AVENUE EAST

Motion was made by Mr. McClure that the Board authorize advertising for bids to be received on remodeling the County Office Building (Planning-Zoning-Building) on Sixth Avenue East. Motion was seconded by Mr. Fortson and carried unanimously.

## MEALS ON WHEELS

Mrs. Helen Blue and Rev. Barr were present to discuss the "Meals on Wheels" program, which county had helped to fund in previous years so federal grants could be obtained. Mr. Fortson explained that they would have to have assurance of local funding for the next fiscal year in order to submit application for grant by deadline of July 1st.

Mr. Fortson recommended and moved that the Chairman or Vice Chairman be authorized to sign a letter stating the intent of the Board to fund up to \$20,000.00 for the "Meals on Wheels" program in the next fiscal year. Motion was seconded by Mr. McClure and carried unanimously.

## RUSH-HAMPTON INDUSTRIES (PLUMBING CODE)

A. R. Vaughn, with Rush-Hampton Industries, requested the Board to evaluate specifications of the CA-90 Ductless Fan (for bathrooms and small closed-in areas) and allow the Building Department to approve installations of this product in Manatee County. Mr. Dierks agreed to meet with the Director of the Building Department and Mr. Vaughn the following Wednesday and bring report to work session on Thursday, June 6th. It was brought out in discussion that the specifications and installation of this unit conflicts with the Plumbing Code.

## INDUSTRIAL DEVELOPMENT REVENUE BONDS: DICKEY CLAY

The County Attorney outlined desired amendments to the Resolution, adopted April 11, 1974, providing for issuance of not exceeding \$4,500,000 Industrial Development Revenue Bonds for Dickey Clay Manufacturing Company (Manatee County Port Authority).

Mr. McClure moved for the adoption and execution of A RESOLUTION AMENDING A RESOLUTION ENTITLED "A RESOLUTION PROVIDING FOR THE ACQUISITION AND CONSTRUCTION BY MANATEE COUNTY PORT AUTHORITY OF A CAPITAL PROJECT CONSISTING OF A CLAY PIPE PRODUCTION PLANT; PROVIDING FOR THE SALE OF SUCH PROJECT TO W. S. DICKEY CLAY MANUFACTURING COMPANY; PROVIDING FOR THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS OF MANATEE COUNTY PORT AUTHORITY HAVING A PRINCIPAL AMOUNT OF NOT EXCEEDING \$4,500,000; PROVIDING FOR THE RIGHTS OF THE HOLDERS OF SUCH BONDS; PROVIDING FOR THE PAYMENT THEREOF; PROVIDING FOR THE SALE THEREOF; AND PROVIDING CERTAIN OTHER AGREEMENTS AND COVENANTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS". Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED ✓

V24-116

## CITIES TRANSIT, INC. - AGREEMENT

Motion was made by Mr. McClure that the Board enter into and authorize execution of Agreement between Manatee County and CITIES TRANSIT, INC., providing for County to pay a subsidy of \$7,000 per month for six

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(Cont'd)

months to the Company to continue operation of its bus system in Manatee County until November 30, 1974; County to have the right to terminate this contract upon written notice at least twenty (20) days prior to the 1st day of any month. Motion was seconded by Mr. Fortson and carried unanimously. (Subject to execution by Cities Transit)

AGREEMENT RECORDED

V24-117

Motion to approve item to item transfer of funds for operation of the bus system was withdrawn pending receipt of filing date of Ordinance No. 74-6 in the Office of Secretary of State.

## LOT CLEARING LIEN

Motion was made by Mr. Dierks that the appropriate county officers be authorized to execute Notice of Lien on LC-723 in the amount of \$50.00 on property owned by Neal M. & Miriam E. Parkinson. Motion was seconded by Mr. McClure and carried unanimously.

## COUNTY EMPLOYEES: WAGE &amp; HOUR LAW

Motion was made by Mr. Fortson that the Chairman or Vice Chairman be authorized to execute a directive to all County Department heads that due to enactment of the Wage and Hour Law and its being made applicable to governmental divisions, it is necessary for the Board of County Commissioners to officially establish a forty-hour work week\* for all county employees; overtime not to apply to exempt personnel and overtime for non-exempt personnel to have prior approval of the Board. EXCEPTION: Motor Vehicle Inspection Station. State requirements have to be met regarding hours and operation; therefore, each inspector will work four 10-hour days and station will be open from 7:30 a.m. to 6:00 p.m., Monday through Friday. Motion was seconded by Mr. Dierks and carried unanimously.

\*Based on 8-hour day, five days per week.

## MOTOR VEHICLE INSPECTION STATION

Motion was made by Mr. Dierks to advertise for bids to be received on (1) Brake machine for existing facilities, Motor Vehicle Inspection Station, 1801 Fifth Street W. (2) Six (6) headlight testers and two (2) brake machines for the Florida Boulevard MVI sub-station. Motion was seconded by Mr. McClure and carried unanimously.

## WARRANT LISTS &amp; REQUISITIONS

Upon motion by Mr. McClure, seconded by Mr. Dierks, the Board unanimously approved Requisitions and Warrant Lists from May 28 to June 4, 1974 and authorized Warrant Lists to June 11, 1974, said Warrant Lists to include any payrolls during that period upon condition that all county employees have performed their services in accordance with time and payroll practices of the county departments.

## BILLS FOR PAYMENT

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

	Professional Ancillary Services, Inc. (A/c #2475)	\$ 50.00
	Manatee Memorial Hospital	\$6452.17; \$450.00
Refund:	Dr. George Loucks (overpayment Ambulance service)	\$ 37.50
Refund:	Maria A. Trevino (overpayment to OB Clinic)	20.00
	Alan Brice	616.30

## AGRICULTURAL CENTER - U.S.D.A AGREEMENT

Motion was made by Mr. Fortson that the appropriate county officers be authorized to execute Memorandum of Agreement with U.S. Department of Agriculture Animal & Plant Health Inspection Service, Plant Protection and Quarantine Programs for trailer space for field office and parking space for government-owned vehicles and others at the Agricultural Center, Palmetto, for annual rent \$400.00. Motion was seconded by Mr. McClure and carried unanimously.

AGREEMENT

V24-118

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WARRANT LISTS (MAY 1974)

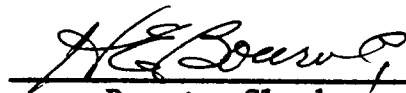
General Revenue Fund	30847	-	30866
Road & Bridge Fund	11890	-	11899
Library	653	-	665
Library Reserve	377	-	382
Courthouse I & S	59	-	61
Courthouse I & S Res.	434	-	437
Hospital I & S	102	-	107
SCORE	323	-	331
Revenue Sharing	430	-	433
Clearing Account	2200	-	2764
EEA Grant	30	-	31
Library Talking Books	241	-	248
Manatee County Utilities System:			
24.4 Revenue Account	125	-	127
13.5 Revenue	3744	-	3762
3.485 Revenue	4924	-	4929
1.65 Revenue	1021	-	1025
General Control	8597	-	8775
Special Construction a/c	171	-	176
24.4 Sewer R & R	106		
13.5 R & R	164		
3.485 R & R	149		
1.65 R & R	149		

MEETING ADJOURNED

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

Attest:

M. T. McInnis, Clerk

  
Deputy Clerk

APPROVED: 17 December 1974

  
Vice Chairman