

JUNE 11, 1974

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, June 11, 1974 at 9:45 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.

PARKS & RECREATION - BIDS ON TRUCK

Sealed bids received on one (1) new lightweight pickup truck for the Parks & Recreation Department were opened and read as follows:

BALSINGER MOTORS SALES, INC.	(Datsun)	\$3,110.50
BILL GRAHAM FORD COMPANY	(Ford Courier)	2,998.00

Upon recommendation by John Marble, Director of Parks & Recreation Department, the bids were referred to Martin Williams, Purchasing Agent, for review and recommendation back to the Board.

19TH AVENUE EAST - GROVEDALE PARK

PORTION OF STREET VACATED (TROPICANA PRODUCTS, INC.)

Public Hearing was opened for the purpose of considering petition of TROPICANA PRODUCTS, INC., to close, vacate and abandon a portion of 19th Avenue East between the east line of the Plat of Grovedale Park (vacated) and the west right of way of 13th Street E.

The petitioner was represented by Robert J. Boylston, attorney, outlined the reasons for this request, being necessary for warehouse and storage facilities to be constructed on petitioner's property which is bi-sected by this non-existing street. Question concerning possible easements was referred to the Director of Manatee County Utilities System for investigation.

No objections were heard and the Chairman declared the public hearing closed.

Mr. Hutches moved for the adoption of a Resolution approving the petition and vacating that portion of 19th Avenue East between the east line of the vacated plat of Grovedale Park and the west right-of-way of 13th Street East as described in said petition. Motion was seconded by Mr. Dierks and carried unanimously. (Subject to approval by Mr. Angelidis concerning easements which might be involved.)

RESOLUTION RECORDED

V24-119

13TH STREET EAST (VACATION) - AMENDED

Mr. Boylston submitted an Amended Resolution with request that it be adopted for the purpose of correcting that certain Resolution adopted by the Board on January 22, 1974, which contained typographical/^{error}in the description of the street desired to be vacated.

Mr. McClure moved for the adoption of an Amended Resolution, granting petition of Tropicana Products, Inc., and vacating

That portion of 13th Street East, lying between the North R/W of 19th Avenue East and the South R/W of 17th Avenue East, being and lying in the SE $\frac{1}{4}$ of Section 36, Township 34 South, Range 17 East, Manatee County, Florida

(correcting description contained in Resolution of January 11, 1974). Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

V24-120

ZONING

Recommendations of the Planning Commission were presented by Art Fischer, Planning Director, and Jerry West, Chief Planner.

SE-719 LIGHTHOUSE CHURCH OF JESUS CHRIST APOSTOLIC FAITH, INC.

The Planning Commission recommended approval of request for Special Exception for a church and church related activities in a residential area in Parrish, Florida. The Planning Director explained that they were being evicted from the present location (building) and it was imperative that construction of a new church begin immediately.

Motion was made by Mr. McClure that SE-719 for the Lighthouse Church of Jesus Christ Apostolic Faith, Inc., be approved as recommended. Motion was seconded by Mr. Hutches and carried unanimously.

TAMPA BAY REGIONAL PLANNING COUNCIL

Motion was made by Mr. Dierks that the Chairman be authorized to execute a letter to the Tampa Bay Regional Planning Council certifying that Art Fischer, Planning Director, will serve as alternate in the absence of Commissioners L. H. Fortson, Jr., and Kenneth D. Dierks at the meetings of that Council. Motion was seconded by Mr. Hutches and carried unanimously.

ZONING

S-146(P) PALM AIRE SUBDIVISION P/PLAT APPROVED

The Planning Commission recommended approval of preliminary plat of a 20-lot subdivision located in Section 25, Twp. 35S., Range 18E.

Motion was made by Mr. Dierks that the preliminary plat of Palm Aire Subdivision be approved subject to approval by the Highway Department and Pollution Control requirements being met. Motion was seconded by Mr. Hutches and carried unanimously.

S-155 BURKETT SUBDIVISION

The Planning Commission recommended approval of the preliminary and final plats of the 2-lot subdivision, 17th Avenue NW (24-34-18).

BURKETT SUBDIVISION - PLAT APPROVED

Motion was made by Mr. Fortson that preliminary and final plats of Burkett Subdivision be approved. Motion was seconded by Mr. Hutches and carried unanimously.

T-1-74(F) PALMA SOLA SHORES MOBILEHOME PARK

The Planning Commission recommended approval of final plans for mobilehome park (96 lots on 14.65 acres, Palma Sola Boulevard).

Motion was made by Mr. Fortson that final plans of Palma Sola Shores Mobilehome park be approved as recommended by the Planning Commission. Motion was seconded by Mr. Hutches and carried unanimously.

BAYOU HARBOR

With reference to offer from Bayou Harbor Property Owners, Inc., to deed a lot in Bayou Harbor Subdivision to the county for public purposes, Robert Moon, Right-of-way agent, advised that he had written the president of that association to the effect that if the County accepted the deed to the property, which is zoned R-1AA (which could be utilized for a residence), it would be with no limitations and would feel free to make any desired use of it. There were no objections to recommendation by Mr. Fortson that Mr. Moon be authorized to obtain an abstract on the property, with further discussion at a later date.

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CIVIL DEFENSE (COMMUNITY SHELTER PLAN)

William Kuhn, Director of Manatee County Defense, submitted CSP Steps 1, 2 and 3 report and request from members of the Civil Defense Advisory Board that this report be reviewed and approved by the Board.

Motion was made by Mr. Hutches that the Chairman be authorized to sign a letter to the Director of Department of Community Affairs, Division of Emergency Government, advising that the Manatee County Community Shelter Plan had been reviewed by this Board and the Plans and Policies were approved as recommended. Motion was seconded by Mr. Fortson and carried unanimously.

MCUS - ADVERTISE BIDS FOR TRUCK

Motion was made by Mr. Fortson that the Director of Manatee County Utilities System be authorized to advertise for bids to be received on a six-cylinder truck for the Sewer Department. Motion was seconded by Mr. Hutches and carried unanimously.

WATER SYSTEM/PLANT IMPROVEMENTS: BIDS

Motion was made by Mr. McClure to advertise for bids for the construction of

=WATER SYSTEM IMPROVEMENTS - PART B (ELWOOD PARK)
 Section I - Booster Station Improvements
 Section II- Storage Tank and Accessories
 =WATER TREATMENT PLANT EXPANSION

Motion was seconded by Mr. Hutches and carried unanimously. (Bids to be opened July 23, 1974.)

SANITARY SEWERAGE PROJECT: PART D - SECTION I
GRAVITY SEWERS & FORCE MAINS (PIPE SUBSTITUTION)

Herb Hayes, of Russell & Axon, and Chris Angelidis, Director of Manatee County Utilities System, recommended acceptance of the proposal from Woodruff & Sons to substitute PVC service pipe for VC service pipe, the method of installation and unit prices (house service piping from open cut to jack and bore) on Project 6681-8b, Part D, Section I. Mr. Hayes said if this is approved it would be included in the next change order and could result in a saving of approximately \$25,000 to the County.

Motion was made by Mr. Fortson that proposal of Woodruff & Sons, Inc., to change method of installation of laterals, pipe substitution, etc., be approved as recommended - Part D, Section I, Gravity Sewers and Force Mains. Motion was seconded by Mr. Dierks and carried unanimously.

CONSTRUCTION TRUST FUNDS

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

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 11.650 B-14

The Bond Buyer	\$ 233.00
The Bond Buyer	209.00

Motion was seconded by Mr. McClure and carried unanimously.

RESOLUTION RECORDED

V24-121

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

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-75

Woodruff & Sons, Inc.	\$ 1602.00
Pittsburgh Testing Laboratory	325.00
Shell Oil Company	500.00
David Altman (as Trustee)	400.00
Edward J. & Joan M. Cannon	145.50

Cecelia Bedell	\$ 140.00
Rose Mary Lancaster	95.86

and acceptance of Manatee County Utilities System easements from SHELL OIL COMPANY; DAVID ALTMAN (as Trustee); EDWARD J. and JOAN M. CANNON; CECELIA BEDELL; ROSE MARY LANCASTER. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

V24-122

ENVIRONMENTAL PROTECTION AGENCY

The County Attorney referred to a letter to Manatee County Utilities System from U. S. Environmental Protection Agency, Atlanta, regarding C120337 Manatee County, Florida (dated 21 May 1974), which is assumed to be a denial of county's application for reimbursement under Section 202(b) of Public Law 92-500 since County does not have an application under Section 206 of Public Law 92-500 noted in the letter. He read a drafted letter advising EPA of this fact and that attempt had been made for over a year to obtain a written yes or not answer to application for a grant increase under provisions of Section 202(b); that if letter of May 21 is formal denial then Manatee County is appealing this decision and would request/further information in doing so.

Motion was made by Mr. Dierks to approve the letter to United States Environmental Protection Agency, as read by the County Attorney, regarding Manatee County's application for additional funds for the Sewer System under Section 202(b) of Public Law No. 92-500. Motion was seconded by Mr. Hutches and carried unanimously.

SEWAGE TREATMENT FACILITIES REVOLVING LOAN

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

SEWAGE TREATMENT FACILITIES REVOLVING LOAN

Payment No. 6

Woodruff & Sons, Inc.	\$213,838.42
Giannetti & Lanzo	651,393.49
Lee Construction Co. of Sanford	101,430.52
Carl E. Widell & Son	254,501.41
Clayton Construction Company	266,340.04

and that the Chairman be authorized to execute requisition for withdrawal of funds from the Project Construction Trust Fund for payment of the accounts. Motion was seconded by Mr. Fortson and unanimously carried.

RESOLUTION RECORDED

V24-123

13.5 RESERVE ACCOUNT

Mr. Dierks moved for the adoption of a Resolution authorizing the Chemical Bank to invest \$417,362.50 in a five-month Certificate of Deposit, 10-3/8% annual rate - \$13.5 Reserve Account. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

V24-124

BEKER INDUSTRIES

John Harllee, attorney for Beker Industries, came before the Board to request reconsideration of denial of application by Beker Industries for Special Exception to allow phosphate mining Manatee County until a Hydrological Study has been made in the area of the proposed mining. The request was discussed, but the Board declined to take action on reconsideration of its decision.

MANATEE HIGH SCHOOL: REQUEST FOR FUNDS

Jim Forssell, Music Director, and Eugene Mazzone, Drama Director, at Manatee High School requested funds in the amount of \$2,000 from Manatee County and the City of Bradenton in a combined effort for a Summer Music and Drama Program for students. This activity had previously been funded by the State but had been discontinued.

Chairman Burton recommended that this request be referred to John

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Marble, Director of Parks and Recreation, and that action be deferred until a later date. There were no objections.

VOCATIONAL REHABILITATION EDUCATIONAL CENTER

Robert Rhine, Counselor II, State Vocational Rehabilitation, was present to discuss the need for a Social Recreational Rehabilitation Center for the severely disabled in the Manatee-Sarasota area. He requested consideration by the Board concerning the availability of a site in Manatee County for such a Center, and if approved, would be the basis for grant application for Federal and State funds through the Division of Vocational Rehabilitation, Department of Health and Rehabilitative Services, State of Florida.

Recommendation was made by the County Attorney that Mr. Rhine forward request in the form of a Resolution and the Board could take appropriate action.

CORTEZ BEACH SUBDIVISION: STREET VACATED

Robert G. Blalock, attorney, was present in the interest of Petition of Martha Sue Logan, as Trustee, et al, to vacate a portion of 14th Street as shown on the Plat of Cortez Beach Subdivision, on which public hearing was held June 4, 1974 and action postponed by the Board.*

Motion was made by Mr. Fortson that the petition be granted and Resolution adopted vacating that portion of 14th Street, South, Cortez Beach Subdivision, as described in said petition. Motion was seconded by Mr. Hutches and unanimously carried.

RESOLUTION RECORDED

V24-125

RUSH-HAMPTON INDUSTRIES

In previous meeting the Board had deferred action on request by A. R. Vaughn that the Board 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 manufactured by Rush-Hampton Industries, (not presently allowed under the Plumbing Code.) pending further investigation by the appropriate committee (Commissioner Dierks), the Building Director and Mr. Vaughn. (Mr. Vaughn was present to answer questions, etc.)

Robert Horky, Building Director, outlined reasons for his recommendation that this type fan not be approved, noting that he was opposed to the idea because the unit needed maintenance periodically and the effectiveness is based on a chemical that kills odor-producing bacteria by circulating the air through the fan, which requires no vent.

Motion was made by Mr. Dierks that the recommendation of the Building Director be accepted and that the proposed new type of ventilation be turned down and only be used permissively with a duct fan. Motion was seconded by Mr. Fortson and carried unanimously.

ANTITRUST LITIGATION (PLUMBING)

The County Attorney advised that some time ago the County had been required to fill out a report to attorneys representing federal agencies concerning an antitrust suit against manufacturers of plumbing fixtures. This report had to do with any public contracts Manatee County had entered into ordering plumbing fixtures. This litigation had been completed and a check received from Dickstein, Shapiro and Morin, attorneys, Washington, D.C., in the amount of \$14.75 (county portion of overcharge).

Motion was made by Mr. Hutches, seconded by Mr. Dierks and carried, to accept the check for \$14.75 - reimbursement for the fixtures.

*Action deferred at the request of the Mayor of the City of Bradenton Beach until question resolved on commitments by petitioners when vacation approved by City Council. Mr. Fortson reported no problem.

AMBULANCE SERVICE : EEA-1220054 (GRANT)

Motion was made by Mr. Hutches that the chairman be authorized to execute (1) forms for funds received for Ambulance Service on EEA Grant No. 1220054; (2) Final Report and Grantee's Release for U.S. Department of Labor, Manpower Administration. Motion was seconded by Mr. Fortson and carried unanimously.

CONDEMNATION SUIT - SETTLEMENT M.C.U.S.

Motion was made by Mr. Hutches that the County Attorney be authorized to make settlement in condemnation suit, Manatee County vs. Harold W. Whitcomb, as Trustee for Theodore Zegota, for the sum of \$1000.00. This suit was for the purpose of acquiring easement for Manatee County Utilities System. Motion was seconded by Mr. Fortson and carried un-animously. (Acquisition Parcel No. 5)

CORRESPONDENCE

Correspondence was read from

1) SUGAR CREEK CAMPING RESORT

Request for permit for fireworks display on July 4, 1974 to be handled by Samoset Fire Department.

Action deferred and referred to Mr. McClure for recommendation at next Board meeting.

2) CARLOS UGARTE, County Engineer

Copy of letter to Department of Transportation in reply to request of May 8, 1974 regarding maximum speed limits.

STATE SPEED LIMITS (DOT MAXIMUM)

The County Engineer advised that he had reviewed all streets and roads under jurisdiction of Manatee County to assure that all facilities are properly signed to comply with the 55 m.p.h. speed limit, and the Florida Department of Transportation so advised for notice to the Federal Highway Administration.

3) STANDARD OIL COMPANY

Notice of increase in prices on gasolines, diesel and jet fuels, kerosene and heating oils, effective June 11, 1974, authorized by Federal Cost of Living Council and Economic Stabilization Act of 1971.

MANASOTA INDUSTRIAL PARK

DEED ACCEPTED: MANASOTA DEVELOPING CORP. (EXT. 17TH STREET E.)

Motion was made by Mr. Dierks that the Board accept Warranty Deed from

MANASOTA DEVELOPING CORP. (W.W. Townsend, president)
for extension of 17th Street East,

for purpose of access to an Industrial Park, but that said street not be accepted for maintenance. by the County. Motion was seconded by Mr. McClure and carried unanimously. (MANASOTA INDUSTRIAL PARK)

BONDS

Upon motion by Mr. Hutches, seconded by Mr. Dierks and carried un-animously, the following bond was approved:

Sheriff's Department
Addition to U.S. Fire Insurance Company Bond #70-50-11
✓ T. MICHAEL CHEAVES =Patrol Deputy

Upon motion by Mr. Dierks, seconded by Mr. Hutches and carried un-animously, the following was unanimously approved:

Public Employees Blanket Bond: American Fire & Casualty #104-573-4
Manatee County Departments - Planning, Welfare,

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Animal Control Center, Motor Vehicle Inspection Station, Highway & Engineering, Building, Zoning and Bond ENDT adding Manatee County Ambulance and payment of premium in the amount of \$235.00 to Des Champs & Gregory, Inc.

Upon motion by Mr. Hutches, seconded by Mr. Dierks and carried un-animously, the following bonds were approved:

<u>Moving & Alteration of Buildings</u>	(\$1000.00 each)
EDWARD M. WALKER, JR.	Surety: Auto-Owners (Mutual)
Correction: ROWE A. MEADE for Edward M. Walker, Jr.	
Pre-moving #35184A	
ROWE A. MEADE for J. D. TAYLOR	Auto-Owners
Pre-moving #35118A	
ROWE A. MEADE for R. C. GARDNER	Auto-Owners
Pre-moving #35119A	

DRIVEWAY PERMITS & BONDS

Motion was made by Mr. Hutches to approve Driveway Permits and Bonds as follows:

<u>ROY J. FAIRBROTHER</u>	No. 546
Bond \$200.00	Surety: Globe Indemnity Company
<u>C. V. MAUDLIN</u>	No. 935
Bond \$400.00	Cashier's Check #138824
	Ellis First National Bank

as recommended by the County Engineer. Motion was seconded by Mr. Dierks and carried unanimously.

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Hutches, seconded by Mr. Fortson, the Board un-animously approved Requisitions and Warrant Lists from June 4 to June 11, 1974 and authorized Warrant Lists to June 18, 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 July 2, 1974)

BILLS FOR PAYMENT

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

MANATEE MEMORIAL HOSPITAL	\$4474.56; \$600.00
DOUGLAS E. CROLL (architectural services, Voting Machine Building, Zoning Auditorium, Planning & Zoning offices, Engineering Building)	6850.57
PROFESSIONAL ANCILLARY SERVICES, INC. (Acct. #4875, #4065)	100.00
MEDICAL EXAMINERS	1895.00
REFUNDS:	
Ronald Rollins (payment exam. for journeyman; leaving town and unable to take examination)	25.00
Bobbie McNish (OP to OB clinic)	45.00

MICROFILM PRINTER

The Deputy Clerk, Henry Bourne, advised the Board that the Micro-film Printer in the office of the Clerk of Circuit Court had broken down, and requested that bid policy be waived in order to purchase a new one on emergency basis if the present machine could not be repaired. There were no objections.

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TEMP 6 (TELEVISION NETWORK)

Mr. Fortson recommended that the Board send a letter of appreciation to Bill Neville, Tempo 6 reporter, for his coverage of Board meetings since their services are being discontinued as a television network. There were no objections.

MEETING ADJOURNED

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

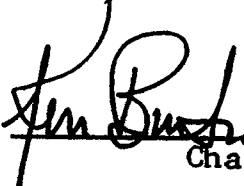
Attest:

M. T. McInnis, Clerk



Deputy Clerk

APPROVED: 17 December 1974



Chairman