

SEPTEMBER 3, 1974

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, September 3, 1974 at 9:07 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.

#### ZONING

##### R-694 GEORGE BARLEY, INC.

Request rezone from District A to District R-1 (Single Family Home Subdivision) on 38.46 acres east of 45th Street E. and south of S.R. 70 ---

DENIED by the Governing Body August 27, 1974.

George M. Barley, Jr., requested (by letter dated August 29, 1974) the Board to consider a change in the request of R-1 to R-1A.

The County Attorney stated it was his opinion that this would be upgrading from R-1 to R-1A and would not have to be readvertised or sent back to the Zoning Board.

Mr. Hutches pointed out that the petitioner was asked if he would consider R-1A zoning and statement was made that he was not interested, and based on this the Board denied request for R-1 District. It was concensus of opinion by Board members that the petition should be re-initiated for R-1A in six months and follow procedure for advertising, public hearing, etc. (No official action.)

##### SPECIAL EXCEPTIONS; SUBDIVISION PLATS

The Board accepted recommendation by the Planning Director that Special Exceptions and Subdivision Plats be considered as they occur and not have to wait for quarterly hearings as rezone petitions. There was discussion on hearing rezone petitions more often than on quarterly basis.

#### POLITICAL SIGNS

Motion was made by Mr. Dierks to waive permits for political signs and authorize the Highway Department to remove signs on county rights-of-way after notifying the candidate that such signs must be removed. Motion was seconded by Mr. Fortson and carried unanimously.

#### A. E. BIGGS - E. E. ROWLETT (A/K/A BIGGS & ROWLETT SUBDIVISION) PLAT TOWN OF FLEMING PLAT

Public hearing was opened for the purpose of considering petitions of ALFRED S. MARIANI, as Trustee, requesting

- (1) That the part of that certain plat\*known as A. E. BIGGS and E. E. ROWLETT SUBDIVISION, recorded in Plat Book 1, page 88 of the Public Records of Manatee County, Florida, be vacated;

and

- (2) That the parts of certain plats\*known as TOWN OF FLEMING, recorded in Plat Book 1, page 94, and in Plat Book 1, page 112 of the public records of Manatee County, Florida, be vacated.

\*covering property owned by the petitioner as described further in petitions.

Turner Matthews, attorney for the petitioner, said that the vacation of the plats, or portions of plats covering property owned by his client, will not affect the ownership of nor access to other lands in the subdivisions; that the streets have never been maintained or used by the public; that deeds have been by metes and bounds for acreage only.

Question was raised concerning an existing county road from U.S. 301 to Tampa Road, and the attorney stated this will be excluded from the vacation and/or owner will deed the right-of-way to Manatee County.

Public hearing was closed. No action was taken by the Board pending description of the county road being furnished by the Right-of-Way Agent so that appropriate deed can be prepared and executed for acceptance by the Board.

**ILEXHURST SUBDIVISION**

Public hearing was opened for the purpose of considering petition of GWYNNE D. and PAULINE M. PEARSALL to close a certain alleyway (portion of) in Ilexhurst Subdivision, lying within the corporate limits of the City of Bradenton Beach.

John Mastry, attorney for the petitioners, explained that a portion of this alleyway had been vacated in 1951, and submitted resolution adopted by the City of Bradenton Beach authorizing the vacation of the portion in public hearing.

There were no objections and Public Hearing was declared closed. Mr. Fortson moved for the adoption of a Resolution approving the petition and vacating and closing that portion of the alleyway as shown on the Plat of Ilexhurst Subdivision lying east of Lots 2, 3 and 4, inclusive, and lying west of Lots 17, 18 and 19 (recorded in Plat Book 1, page 154). Motion was seconded by Mr. McClure and carried unanimously.

RESOLUTION RECORDED V24-203

**ORDINANCE NO. 74-8 (MOVING BUILDINGS)**

Public hearing was opened for the purpose of considering an Ordinance regulating the moving of houses and other buildings on public highways in Manatee County. The proposed Ordinance was read by the County Attorney.

There were no objections and the Public Hearing was closed.

Motion was made by Mr. Hutches that the Ordinance be adopted as read:

**ORDINANCE NO. 74 - 8 AN ORDINANCE  
REGULATING THE MOVING OF HOUSES AND OTHER  
BUILDINGS WITHIN MANATEE COUNTY, FLORIDA;  
AUTHORIZING THE DIRECTOR OF THE MANATEE  
COUNTY BUILDING DEPARTMENT TO ISSUE PERMITS;  
PROVIDING A PENALTY FOR VIOLATIONS AND  
PROVIDING AN EFFECTIVE DATE.**

Motion was seconded by Mr. Dierks and carried unanimously.

ORDINANCE RECORDED V24-204

**LOT CLEARING**

Public hearing was opened for the purpose of considering petition on lot clearing

**LC-764 MABEL SMITH - alleging that certain land owned  
by ADA V. WARDWELL**

had not been cleared in accordance with requirements of Section 2, Chapter 69-1285, Special Laws of Florida.

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(Cont'd)

Dave Fulford submitted photographs as evidence that the lots need mowing and recommended granting the petition.

Public hearing was closed. Mr. Hutches moved for the adoption of a Resolution determining that the property owner, Ada V. Wardwell, had failed to comply with the lot clearing law and demanding that said property take corrective action with regard to her land within fifteen (15) days. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED V24-205

Public hearing was opened for the purpose of considering petition

LC-769 MRS. ROY RAINES - alleging that certain lands owned by RALPH & JENNIE CANTOLINO

had not been cleared in accordance with requirements of Section 2, Chapter 69-1284, Special Acts of 1969.

Mrs. Jennie Cantolina was present and advised that the lot was mowed on June 20, 1974 and was due to be mowed again; that the lot was mowed every two months during the summer months, six months during winter. Mrs. Marie Kinley was a witness that Mrs. Cantolina mowed her lot as stated.

Public hearing was closed. Mr. Fortson moved for the adoption of a Resolution determining that the property owner had not failed to comply with the lot clearing law and denying the Petition of Mrs. Roy Raines. Motion was seconded by Mr. McClure and carried.

RESOLUTION RECORDED V24-206

Public hearing was opened for the purpose of considering petition

LC-770 MRS. ROY RAINES - alleging that certain land owned by ARTHUR S. & PATRICIA P. WATKINS

had not been cleared in accordance with requirements of Section 2, Chapter 69-1284, Special Acts of 1969.

Public hearing was closed. Mr. Fortson moved for the adoption of a Resolution determining that the property owners, Arthur S. and Patricia P. Watkins, had failed to comply with the lot clearing law and demanding that corrective action with regard to said land be taken within fifteen (15) days. Motion was seconded by Mr. McClure and carried.

RESOLUTION RECORDED V24-207

**WORK RELEASE PROGRAM: FREEZER**

Sealed bids on a Storage Freezer for the Work Release Program Department were opened and read as follows:

WEST COAST RESTAURANT (del. 2 days)	\$1315.00
BEN ZACK, INC. (del. 15 days)	977.77
and Martin Williams	

The bids were referred to Don Shepherd/for recommendation.

**COMMUNITY SERVICES PROGRAM**

Motion was made by Mr. Hutches to ratify application to the Department of Community Affairs for State Assistance for a community service program, for the purpose of providing adequate maternity services for indigents - OB Clinic, etc., which was executed by Chairman Burton on August 30, 1974 in order to meet the deadline for filing such applications. Motion was seconded by Mr. Dierks and carried.

**WORK RELEASE PROGRAM - APPLY FOR FORMER NAVAL RESERVE FACILITY**

Don Shepherd came before the Board regarding submitting application

Department of Health, Education and Welfare, Regional Office, Atlanta, Georgia, for the former Naval Reserve Facility which has been declared surplus to the needs of the Federal Government. The facility presently is under lease to the County for the Work Release Program. (Reference: Letter from Department of General Services dated 8/28/74)

Application forms and outline for purchase of Federal Surplus Real Property were referred to Mr. Shepherd to compile data and furnish information to the County Attorney for filing for acquisition of the facility.

**PALMA SOLA BAY YACHT CLUB**

The Palma Sola Yacht Club requested affidavit that a resolution adopted by the Board on December 17, 1962 is still in effect so that requirements may be met for construction of boat docks in the basin. Permits had been approved by the County Engineer, but this affidavit is required by the Board of Trustees of the Internal Improvement Trust Fund in order to process application for permit by the State.

Motion was made by Mr. Fortson that the Board reaffirm Resolution adopted December 17, 1962 granting to the Palma Sola Bay Yacht Club a license for the use of the Park basin and the surrounding park area for the construction of boating facilities, etc. Motion was seconded by Mr. Hutches and carried unanimously.

**SEWER PROJECT - PART E**

Motion was made by Mr. Hutches that the appropriate county officers be authorized to execution application to the Department of Pollution Control for installation of Sewage Collection/Transmission System, Manatee County Sewer Project - Part E - to serve Oneco Road, two schools in the area and Northwest area off 75th Street W. Motion was seconded by Mr. Fortson and carried unanimously.

**CONSTRUCTION TRUST FUND**

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

**SEWER SYSTEM CONSTRUCTION TRUST FUND**

Requisition No. 24.4 B-84

Durable Concrete Products	\$1,617.66
J. J. & Jemina R. Costantino	500.00
Kathryn Emden Furen	500.00
Mary C. Sweed	200.00
O. H. :& Anna Mae Landrum	300.40
Charles J. & Alice M. Meissner	169.00
Josephine Y. Gritz	100.00

and acceptance of deeds for Manatee County Utilities System (easements) from FRANK J. & JEMINA R. CONSTANTINO; MARY C. SWEED; O. H. & ANNA MAE LANDRUM; CHARLES J. & ALICE M. NEISSNER and JOSEPHINE Y. GRITZ. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED

V24-208

**HEALTH DEPARTMENT**

**RE: AMBULANCE SUB-STATION; MVI STATION**

Motion was made by Mr. McClure that the Manatee County Health Department be authorized to waive fees in connection with construction of Manatee County Ambulance Sub-Station and South County Motor Vehicle Inspection Station. Motion was seconded by Mr. Hutches and carried.

**WARRANT LISTS & REQUISITIONS**

Upon motion by Mr. Hutches, seconded by Mr. Dierks, the Board unanimously approved Requisitions and Warrant Lists from August 27 to September 3, 1974 and authorized Warrant Lists to September 10, 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.

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(Cont'd)

<u>August, 1974</u>	(Month of September listed 10/1/74)
General Revenue Fund	30903 - 30914
Road & Bridge Fund	11919 - 11936
Library	682 - 689
Library Reserve	388 - 391
Courthouse I & S Reserve	463 - 464
Hospital I & S	110
SCORE	345 - 350
Revenue Sharing	439 - 440
Clearing Account	4052 - 4572
EEA GRANT	32
Library Talking Books	486 - 489
Performance Bond	42
Manatee County Utilities System:	
24.4 Sewer Revenue	133 - 136
13.5 Revenue	3845 - 3877
3.485 Revenue	4958 - 4972
1.65 Revenue	1051 - 1057
General Control	9105 - 9279
Special Construction	191 - 203
24.4 R & R	108
13.5 R & R	167
3.485 R & R	153
1.65 R & R	153

## BILLS FOR PAYMENT

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

Professional Ancillary Services	\$ 50.00 (a/c #4033)
Goodrich & Hampton	300.00
(Condemnation suit County vs Weinell- 1st Ave. W. - 67th to 75th St. W.)	
Manatee Memorial Hospital	2192.00; \$2252.32; 500.00

## ORDINANCE: FLOOD INSURANCE

Motion was made by Mr. Fortson that Public Hearing on Flood Insurance Ordinance be held November 12, 1974 and so advertised. Motion was seconded by Mr. McClure and carried.

## MEDICAL EXAMINER PROGRAM

Motion was made by Mr. McClure that the Chairman be authorized to execute invoices directed to Medical Examiner Section, Bureau of Adult Health & Chronic Diseases, Division of Health, HRS, for reimbursement from State to County on payments for Medical Examiner services. 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: 14 January 1975



Chairman