

SEPTEMBER 10, 1974

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, September 10, 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 Henry E. Bourne, Deputy Clerk
 Richard A. Hampton, County Attorney

The meeting was called to order by Chairman Burton.

WATER SYSTEM IMPROVEMENTS - PART A;
PART C, SECTION I (ELWOOD PART TO SARASOTA COUNTY);
SECTION II, WATER MAINS, MANATEE COUNTY DISTRIBUTION

Sealed bids received on construction of Water System Improvements were opened and read from

| | Base Bid | Alt. Deduct |
|---|----------------|--------------|
| PRESTON CARROLL CONSTRUCTION CO. | \$506,166.75 | \$ 37,616.00 |
| GIANNETTI & LANZO | 366,450.40 | 138,851.60 |
| PIPELINE SERVICES, INC. | 318,849.75 | 140,130.00 |
| INMAN, INC. | 342,615.00 | 146,225.00 |
| PAUL N. HOWARD COMPANY | 484,865.00 | 151,070.00 |
| WARREN BROS., Div. of Ashland Oil | 382,519.25 | 159,155.00 |
| C F W CONSTRUCTION CO., INC. | 350,825.00 | 152,960.00 |
| WOODRUFF & SONS, INC. | 503,797.00 | 188,860.00 |
| (If awarded Part A, Part C, Sect. I & II, deduct \$92,000 from total bid) | | |
| TUCKER BROS. CONTRACTING CO. | 424,740.85 | 187,549.10 |
| BOYCE COMPANY | 422,719.00 | 162,924.00 |
| SCOTT COLE UTILITIES | 292,093.75 | 133,940.00 |
| =on water system improvements - Part A | | |
| (All accompanied by 5% bid bonds) | | |
| Part C | Section I | Section II |
| WOODRUFF & SONS | \$1,490,490.00 | \$746,197.80 |
| BOYCE COMPANY | 1,375,815.90 | 597,613.90 |
| PRESTON CARROLL CONSTRUCTION CO. | 1,467,500.50 | 702,804.70 |
| GIANNETTI & LANZO | 1,453,059.50 | 777,690.50 |
| (Allow discount of 3% on total I & II) | | |
| SOUTHEAST UNDERGROUND CONSTRUCTION | 1,553,251.25 | No bid |
| SCOTT COLE UTILITIES | 1,400,580.00 | 551,578.50 |
| C F W CONSTRUCTION | 1,630,595.00 | 813,404.00 |
| WARREN BROS. | 1,592,333.20 | 786,219.82 |
| PIPELINE SERVICES, INC. | 1,467,569.00 | 729,072.50 |
| CHAS. F. SMITH & SON, INC. | 1,618,215.00 | No bid |
| PAUL N. HOWARD CO. | 1,365,033.75 | 650,191.70 |
| (If considered for multiple awards deductions allowed for certain combinations) | | |
| INMAN, INC. | 1,473,000.00 | 644,500.00 |
| =All accompanied by 5% bid bonds | | |

The bids were referred to Russell & Axon Consulting Engineers for tabulation and recommendation.

RECESS

After a short recess the meeting was reconvened.

PART B, SECTION I - ELWOOD PARK BOOSTER STATION

Motion was made by Mr. McClure that the appropriate county officers be authorized to execute contract with Heyl & Patterson on construction of Part B, Section I - Elwood Park Booster Station. Motion was seconded by Mr. Fortson and carried unanimously.

SEWERAGE TREATMENT PLANT - CHANGE ORDER

Proposed change order on contract with Carl Widell & Son, recommended by John Cumming, for addition of four access hatches for maintenance of equipment at the Sewerage Treatment Plant at cost of \$875.93, was unanimously approved on motion by Mr. Hutches and seconded by Mr. Fortson.

Mr. Cumming stated he would submit in writing recommendation for additional soil investigation for the monitoring well, required by EPA as condition of the grant, estimated at cost of \$15,000.00

ZONING

Recommendations of the Planning Commission were presented by the Planning Director, and Jerry West.

S-153-(F) CHAMNESS ESTATES PLAT APPROVED

The Planning Commission recommended approval of Final Plans of the 6-lot subdivision located west side of 7th Street E. and approximately 300 ft. south of Little Pittsburg Road.

Check in the amount of \$2100.00 was submitted for drainage improvements with no supporting documents (cash bond form). Motion was made by Mr. Dierks that the Plat be approved subject to receipt of the bond. Upon question as to status of 7th Street East, the Board was advised that this was a dedicated street (shell) and the county has been maintaining it. The County Attorney outlined procedure under which the property owners could be assessed if the County should decide to pave the street. Motion was seconded by Mr. Fortson and carried unanimously.

S-158(P) DESOTO LAKES COUNTRY CLUB COLONY, UNIT 4

The Planning Commission recommended approval of preliminary plat of the 100-lot subdivision (45 acres) located south side of Tournament Blvd., east of Lockwood Ridge Road, Palm Aire.

Motion was made by Mr. Dierks that the preliminary plat of DeSoto Lakes Country Club Colony, Unit 4, be approved. Motion was seconded by Mr. Hutches and carried unanimously.

S-159(P) ROCKY BLUFF ESTATES

The Planning Commission recommended approval of preliminary plat of the subdivision located north side of U.S. 301, between Erie Road and 96th Avenue E. (286 lots and golf course on 235.5 acres).

Motion was made by Mr. Hutches that preliminary plat of Rocky Bluff Estates be approved. Motion was seconded by Mr. Dierks and carried.

S-160-(P & F) VISTA DEL RIO

The Planning Commission recommended approval of the 4-lot subdivision (0.9 acre) on the south side of Water Street, East side of Central Avenue, Ellenton.

Motion was made by Mr. Hutches that the preliminary and final plats of Vista Del Rio subdivision be approved. Motion was seconded by Mr. Dierks and carried.

PALMETTO GROVE & GARDEN CO. SUBDIVISION

Public hearing was opened for the purpose of considering petition of Florida Universal Contractors, Inc., to vacate a street along the east side of Lots 22 and 23 of the plat of Palmetto Grove and Garden Co. Lloyd Lyday, attorney, filed the petition, but did not appear for the hearing.

The Public hearing was continued until September 24, 1974.

ORDINANCE 74-9 "NO PARKING" (MANATEE HIGH SCHOOL AREA)

Public hearing was opened for the purpose of considering

ORDINANCE NO. 74-9 AN ORDINANCE OF MANATEE COUNTY, FLORIDA PROHIBITING THE STOPPING, STANDING OR PARKING OF MOTOR VEHICLES ON CERTAIN COUNTY MAINTAINED STREETS IN THE UNINCORPORATED AREAS OF MANATEE COUNTY, FLORIDA, PROVIDING A PENALTY FOR THE VIOLATION OF THE ORDINANCE AND PROVIDING AN EFFECTIVE DATE,

which was read by the County Attorney. There were no objections, and public hearing was closed.

Mr. McClure moved for the adoption of ORDINANCE NO. 74-9 as read, which prohibited parking of motor vehicles upon any portions of the right-of-way, Mondays through Fridays between the hours of 7:30 A.M. and 5:30 P.M.:

- a. 35th Street W. from 7th Avenue W. to 15th Avenue W.
- b. 36th Street W. from 7th Avenue W. to 15th Avenue W.
- c. 37th Street W. from 7th Avenue W. to 13th Avenue W.
- d. 38th Street W. from 7th Avenue W. to 13th Avenue W.
- e. 13th Avenue W. from Bradenton City limits to 38th Street W.
- f. 11th Avenue W. from Bradenton City limits to 38th Street W.
- g. 9th Avenue W. from Bradenton City limits to 38th Street W.
- h. 7th Avenue W. from Bradenton City limits to 38th Street W.

Motion was seconded by Mr. Hutches and carried unanimously.

ORDINANCE RECORDED V24-209

"NO PARKING" 18TH STREET WEST

It was brought to the Board's attention by Mr. Hutches that vehicles parked on 18th Street, from Dimetiro's to Belmont Park, created problems where residents cannot get into the street; that there had been four fires in the area in recent months and that one side of the street needs to be kept open.

The County Attorney advised that it was a State law violation to park on paved roadways. The Chairman stated that if there were no objections the County Engineer would be instructed to place three (3) signs "No Parking" on the east side of 18th Street W. from Cortez Road into Belmont Park. There were no objections.

PALMA SOLA ELEMENTARY SCHOOL (PIPING DRAINAGE DITCH)

The County Engineer advised that County did not have valid bid on pipe needed for piping the drainage ditch along west side of Palma Sola School - not included in annual bids - and he submitted price quotations from Southern Culvert, Florida Steel, Gator Culvert, Armco and Palm Beach Tank Co., He recommended acceptance of the low bid of Southern Culvert for 81"x59" Galvanized Steel 16 gage Corrugated Metal Arch Pipe \$26.71 per ln. ft. with delivery of six (6) days after date of order, in view of urgency of delivery so that the pipe can be installed by the Sanitary Sewer Contractor (at no cost to the County) while he is in the area.

Motion was made by Mr. Fortson that the recommendation of the County Engineer be accepted and pipe authorized purchased from Southern Culvert for the purpose outlined. Motion was seconded by Mr. Diekks and carried unanimously.

PINWOOD VILLAGE - FLOODING CONDITIONS

Emil A. Moderacki submitted petition from Pinewood Village home owners regarding flooding condition in streets and properties with request that the Board take action to eliminate the drainage problems caused by even normal rainfall due to bypass ditch on 66th Avenue W. filled in by builders, drain ditch south from the subdivision filled in with washed soil, weeds and debris; culvert under 66th Avenue W. too small; sewer line running into culvert on 66th Avenue W., etc.

Mr. Dierks recommended review to see if the developer complied with original plans and agreement to provide adequate drainage, etc., and assured the property owners that the problems outlined would be investigated and steps taken to resolve them.

PROJECTS NO. (PENDING PROJECTS NO. 40, NO. 41)
SURVEYS, PLANS AND ESTIMATES

Robert Moon, Right-of-Way Agent, advised that pending Road Participation Project No. 40 (27th Street W. from 33rd Avenue south to deadend) qualified for county participation with 72.2 percent property owners' signatures.

Motion was made by Mr. Fortson that Project No. _____, pending project No. 40, be accepted as a road participation project and survey, plans and estimates authorized. Motion was seconded by Mr. Dierks and carried unanimously.

Mr. Moon said that Pending Project No. 41, with 78.6 percent property owners' signatures met the requirements of a County Road Participation Project. (District No. 3)

Motion was made by Mr. Dierks that Pending Project No. 41 (21st Avenue E. from 12th Street E. east to 15th Street E.) be accepted as a County Road Participation Project and that survey, plans and estimate be authorized. Motion was seconded by Mr. Fortson and carried unanimously. (Lincoln Terrace - District No. 5)

53RD AVENUE - STATE ROAD 683/75TH TO STATE ROAD 684
OPTION AGREEMENT FOR RIGHT OF WAY

Mr. Moon submitted option agreement for \$25,000 between Manatee Fruit Company and Manatee County on purchase of extension of 53rd Avenue from State Road No. 683 to extended 75th Street up to State Road No. 684, on full purchase price of \$193,000.00 (balance out of the next year's budget).

Motion was made by Mr. Hutches that the County exercise option to purchase the right of way and that the appropriate county officers be authorized to execute Option Agreement with Manatee Fruit Company. Motion was seconded by Mr. Fortson and carried unanimously.

OPTION AGREEMENT RECORDED V24-210

BUS TRANSIT SYSTEM

Larry Horan submitted report on a meeting of the Bus Committee and resolution unanimously passed to ask the Commission to call off the referendum and extend subsidy to Cities Transit on month to month basis for three months after the November 30th date and appoint a Blue Ribbon Committee to work out a satisfactory plan. Willard Holmes, with the State Department of Transportation, proposed (at the meeting) that study could be made of a county or bi-county plan to take advantage of the federal 80 percent and the State 10 percent contribution for all equipment and control the entire operation for 10 percent. Mr. Holmes offered to assist in making the bus transit system more effective if needed.

Recommendations were submitted on alternate routes to shopping centers, advertising and reducing bus fares during the hours 10:00 A.M. to 3:00 P.M., with pledged cooperation of the merchants and bankers

at Cortez Plaza, Westgate, DeSoto Mall - Greater South Bay Merchants Association.- Wards, etc. H. E. Lewis was present for Cities Transit.

Motion was made by Mr. Dierks that the subsidy to Cities Transit be extended for a period of three months beyond November 30th, 1974, with the Transit Committee being given opportunity so make a study and come up with recommendations. Motion was seconded by Mr. McClure. After discussion as to source of funds and possible cut-backs in other areas to provide for this subsidy, and amendment to the motion to make the extension for two instead of three months, motion was withdrawn in favor of reviewing the budget and considering action on this matter in Special Session the following Thursday.

WORK RELEASE PROGRAM: BID ON FREEZER

Motion was made by Mr. McClure that the low bid on a freezer for the Work Release Program, submitted by

BEN ZACK, in the amount of \$977.77

be accepted. Motion was seconded by Mr. Dierks and carried.

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Dierks, seconded by Mr. Hutches, the Board unanimously approved Requisitions and Warrant Lists from September 3 to September 10, 1974 and authorized Warrant Lists to September 17, 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. (Listed October 1, 1974)

BILLS FOR PAYMENT

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

| | |
|---|----------|
| Goodrich & Hampton (Title & Title insurance on property P.W. White's Sub., purchased from Standard Oil Company) | \$335.00 |
| Alan H. Brice | 559.50 |
| Charlott Welch | 90.00 |
| (Refund payments to OB Clinic) | |

BUDGET AMENDMENT: SHERIFF'S DEPARTMENT

No action was taken on request of Sheriff R. W. Weitzenfeld for transfer of funds \$10,000 from Contingencies to Expenses other than Salaries.

SEWER CONSTRUCTION FUNDS (INTER CITY NATIONAL BANK)

Motion was made by Mr. Dierks that the appropriate county officers be authorized to execute Escrow Agreement between Manatee County and Inter City National Bank establishing an account for the orderly repayment of the loan to the State of Florida on the Sewer Construction Funds. Motion was seconded by Mr. Hutches and carried unanimously. The County Attorney explained that no funds will go into this account until April 1975; however, the State is requiring execution of this Agreement and sending them copies.

AGREEMENT RECORDED

V24-211

PARKS & RECREATION DEPARTMENT

RE: QUESTION (BALLOT) 5-YEAR PROGRAM

The County Attorney submitted proposed Resolution, for adoption by the Board at the next regular meeting, concerning question to be placed on the ballot on adoption of the Five-Year Capital Improvement Program, proposed by the Parks and Recreation Department, calling for a \$500,000 budget appropriation each year for five years commencing with 1975-1976 fiscal year. He explained that this was not authorizing the Board to issue any bonds not a commitment to budget this amount each year, but asking the voters if they approve the plan.

SEPTEMBER 10, 1974

(Cont'd)

LIBRARY BOND ISSUE

The County Attorney read the question on the ballot in connection with the Library Bond Issue: "Shall the County of Manatee, Florida, issue bonds in an aggregate principle amount not exceeding three million dollars bearing interest semi-annually at a rate or rates not exceeding the legal rate as shall be determined at the time of the sale thereof and maturing not later than twenty-five years from the date of the issuance thereof for the purpose of financing the cost of acquiring a site and constructing a new library building thereon, together with all other costs incidental thereto, all as more specifically described in preliminary plans heretofore filed with, and approved by the Board of County Commissioners of Manatee County, Florida, the principal of and interest on such bonds to be paid from a special ad valorem tax levied on all taxable property in Manatee County, Florida, without limitation as to rate or amount."

LOT CLEARING LIEN

Motion was made by Mr. Fortson to approve Notice of Lien assessing lien against certain lands owned by

WILLIAM C. and JENNIFER M. HOFFMAN
File No. LC - 738, in the amount of \$45.00

Motion was seconded by Mr. Dierks and carried unanimously.

WORK RELEASE PROGRAM

APPLICATION FOR TRANSFER SURPLUS PROPERTY

Mr. Dierks moved for the adoption of a Resolution making application to the Secretary of Health, Education and Welfare for transfer of the Former Naval Reserve Facility, Bradenton, Florida (declared surplus to the needs of the Federal Government) to Manatee County, and authorizing Ken Burton, Chairman of the Board, to do and perform any and all acts and things which may be necessary to carry out said resolution. Motion was seconded by Mr. Hutches and carried unanimously. (The Resolution was read by the County Attorney.)

RESOLUTION RECORDED V24-212

STATE ROAD 64 - MCUS PERMIT

Mr. Hutches moved for the adoption of a Resolution authorizing execution of application to the State 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 64, Section 13150. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED V24-213

CONSTRUCTION TRUST FUND

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

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-85

| | |
|----------------------------------|-------------|
| American Cast Iron Pipe Company | \$14,248.48 |
| Joe Hartsfield and Mary C. Sweed | 100.00 |

and acceptance of Utility Easement from JOE HARTSFIELD and MARY C. SWEED for Manatee County Utilities System. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED V24-214

STATE ROAD 70 - MCUS PERMIT

Motion was made by Mr. McClure that the appropriate county officers be authorized to execute application for Department of Transportation permit for Manatee County Utilities System to cross State Road 70. Motion was seconded by Mr. Hutches and carried unanimously.

EASEMENTS ACCEPTED - MCUS

Upon motion by Mr. McClure, seconded by Mr. Hutches and carried, the Board accepted the following Utility Easements for Sanitary Sewer Project #6681-8b and Water Extension Project 7273-2:

SEPTEMBER 10, 1974

(Cont'd)

From:

FRED L. & AGNES C. WATKINS
EUCIUS O. RUCKER, JR. and
EMMA C. SANFORD
771 CORPORATION

GEORGE J. & LYNDIA CAJOLEAS

MATTEO & MARLENE FORTINO
BURTON W. & GERTRUDE E. EARLEY

WNAFFORD E. & GLENNA V. INMAN

FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF MANATEE COUNTY (Water)

COUNTY PERSONNEL: AGRICULTURAL DEPARTMENT

Mr. Fortson read a letter from Dr. James App, County Extension Director, recommended granting two weeks leave, without pay, to Miss Shaw, Home Economist, effective September 15-28, 1974, and moved that leave be allowed as requested. Motion was seconded by Mr. Hutches and carried unanimously.

EARTH MOVING PERMIT; OIL EXPLORATION

Art Fischer advised that he had notified Wendell Kent and Company that they would have to apply for a Special Exception for Earth-moving Permit in connection with excavating and creating a large lake on a 20-acre parcel to obtain fill for construction on State Road No. 70. A representative of the firm told him the excavating was being done on the basis that this is a county approved project.

Upon question about the drilling of an oil well (exploratory) on Rutland property, the County Attorney advised that it was his opinion that the Board had authority specifically to regulate such operations. The matter was referred to the Planning Director, the Pollution Control Director and the County Attorney for recommendation at next Board meeting.

MEETING ADJOURNED

There being no further business the meeting was declared adjourned.

Attest:

M. T. McInnis, Clerk

APPROVED: 14 January 1975



Deputy Clerk



Chairman