

NOVEMBER 12, 1974

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, November 12, 1974 at 9:00 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.

GOODWILL INDUSTRIES

Don Jordan, representing Goodwill Industries, made a presentation of "THANKS - FOR - GIVING" to the Board and to the people of the community for assisting in giving aid to the handicapped by participating in the program and in making it a success in the Manatee-Sarasota County area. He stated that the month of November would be observed as "Thanks-for-giving" by the Goodwill Industries.

ZONING

T-1-86(F) CASA ONECO MOBILE HOME SUBDIVISION

Request for approval of final plat of 24 lots on 4.5 acres located between First and Third Streets East, and north of 53rd Avenue E., Bradenton.

Art Fischer, Planning Director, explained that the Planning Commission had considered this final the previous week; that the subdivision had formerly been called the Casa Loma Mobile Home Subdivision, 1st Addition, and had a history of problems. The Planning Department had reported no objections from Manatee County Utilities System, the County Highway Department stated no objections; that the streets are being constructed in accordance with Manatee County Subdivision regulations; that the Health Department had approved the water distribution system and the sewage collection system. The Planning Commission had no objection; however, at the public hearing the residents of Casa Loma Mobile Home Subdivision voiced concern and objection to (1) weir that had been placed in the lake, causing some flooding conditions in that subdivision and (2) septic tanks being installed in the new mobile home park.

Planning Commission recommended approval subject to stipulations that (1) the weir in the lake be removed and (2) there be no issuance of building permits until it has hooked up on central sewage. The weir in the lake had been removed by the developer. Mr. Fischer said this item was scheduled to be brought to the Board the following week, along with a number of other items, but due to a misunderstanding the residents of Casa Loma were under the impression that plats would be brought to the governing body the following meeting.

It was announced that no action could be taken since the developer, his attorney or representative were not present (nor had they been notified this item would be on the agenda), but due to the great number of residents of Casa Loma in the audience, they would be given an opportunity to express their views on the matter.

Among those present and voicing objections to the approval of T-1-86 were

Ron Schaub - outlined problem of developer placing a weir in the lake, which did not belong to him because the whole park became the stockholders' park when Mr. Rightmyer, the developer, signed off all his rights in March, 1974, and the flooding of Casa Loma as a result. (Residents are the shareholders.)

Also, there were objections to residents of the new park having access to the recreational facilities, etc., in Casa Loma.

He submitted a petition, with 155 signatures of residents of Casa Loma, objecting to septic tanks within a county approved sewer system.

Rev. N. R. Bunnell - pointed out that in addition to objections outlined by Mr. Schaub, other things that should be considered were (1) a holding pond and (2) buffer zone between Casa Loma Mobile Home Park and the new Casa Oneco Mobile Home Subdivision.

Upon recommendation by Mr. Dierks, the Chairman stated that if there were no objections the Board would postpone action on T-1-86 (F) for two weeks (until November 26, 1974). There were no objections.

RECESS

After a short recess the meeting was reconvened with all members present.

ORDINANCE NO. 74-10: FLOOD PRONE AREAS (FLOOD INSURANCE)

Public hearing was opened for the purpose of considering Ordinance No. 74-10.

The County Attorney generally described the provisions of the Ordinance - section by section - summarized as follows:

- (1) Applicable in unincorporated areas of Manatee County;
- (2) Adopts by reference the Federal Insurance Administration Flood Hazard Boundary Maps No. H-12-081-0000-03 through H-12-018-0000-33 (set of thirty-one (31) maps in booklet form);
- (3) Adopts building elevations (minimum) in the five separate sections or zones shown on the Maps of the Flood Prone Area;
- (4) (5)
- (6) Conditions that have to be met in order to obtain building and other permits for new construction or substantial improvement to existing structures in flood prone area;
- (7) Additional conditions in certain specified zones;
- (8) Conditions regarding non-residential structures;
- (9) Plans if fill is used - to be protected against erosion;
- (10) Evidence by written certification of engineer registered to practice in State of Florida;
- (11) Establishing a Board to be called the "Manatee County Building Codes Board of Appeals" and outlining duties to be performed on petitions for variances; Board to consist of one civil engineer, one mechanical engineer, one electrical engineer, two licensed contractors, one architect and one member at large from the building industry;
- (12) Variances to be considered;
- (13) Provisions of this Ordinance to take precedence in event of conflict with other ordinances and codes;
- (14) Penalty for violations.
- (15) Effective date.

Public hearing was closed. Mr. Hutches moved for the adoption of

ORDINANCE NO. 74-10

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, ESTABLISHING MINIMUM BUILDING ELEVATIONS FOR FLOOD PRONE AREAS OF MANATEE COUNTY, FLORIDA, AS REQUIRED BY THE NATIONAL FLOOD INSURANCE ACT OF 1968, AS AMENDED; ESTABLISHING REQUIREMENTS FOR THE CONSTRUCTION OR SUBSTANTIAL IMPROVEMENT

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OR RESIDENTIAL OR COMMERCIAL BUILDINGS WITHIN THE FLOOD PRONE AREA; ESTABLISHING A MANATEE COUNTY CONSTRUCTION CODES BOARD OF APPEALS AND PRESCRIBING THEIR DUTIES; ESTABLISHING A VARIANCE PROCEDURE; PRESCRIBING PENALTIES FOR VIOLATION OF THE ORDINANCE AND ESTABLISHING AN EFFECTIVE DATE,

with amendment to Section 11 to provide for establishment of "Manatee County Construction Codes Board of Appeals" instead of "Manatee County Building Codes Board of Appeals", and amendment to Section 11(a) to provide for appointment of one member at large from the real estate and/or insurance industry instead of from the building industry. Motion was seconded by Mr. Fortson and carried unanimously.

ORDINANCE RECORDED W25-47

PLANNING & DEVELOPMENT BUILDING

Motion was made by Mr. McClure that the Planning Director be authorized to execute agreement with General Telephone Company for installation of a central telephone system in the Planning and Development Building. Motion was seconded by Mr. Fortson and carried unanimously.

LOT CLEARING

Public hearing was opened for the purpose of considering Lot Clearing Petition

LC-815 ALBINO CRESTANI - alleging that certain land owned by LARSON-KAY NO. 2

had not been cleared in accordance with requirements of Section 2 of Chapter 69-1284, Special Acts of 1969. Dave Fulford submitted pictures as evidence that the property needed mowing.

Public hearing was closed. Mr. Hutches moved for the adoption of a Resolution determining that the property owner, LARSON-KAY NO. 2, had failed to comply with the Lot Clearing Law and demanding that said property owner take corrective action with regard to said land within fifteen (15) days. Motion was seconded by Mr. Fortson and carried unanimously.

RESOLUTION RECORDED W25-48

U. S. GEOLOGICAL SURVEY

MYAKKA RIVER BASIN - MANATEE COUNTY

Horace Sutcliffe was present to outline U. S. Geological Survey project Myakka River Basin Flood study, update 1956 ground water data on western Manatee County and complete similar type of work (water resources potential of Manatee River evaluated) for eastern Manatee County - time schedule three years. For the Manatee Study \$30,000 (\$20,000 this year, \$15,000 for 1975 fiscal year, \$5,000 carries into county fiscal year); \$20,000 next fiscal year, \$5,000 following fiscal year. There are state and federal matching funds.

Action was deferred on the agreement with U.S. Geological Survey pending study of budget conditions.

WASTEWATER TREATMENT PROJECT (SOUTHWEST MANATEE) - 201 PLANNING

Chris Angelidis, Director of Manatee County Utilities System, Richard (Chip) Shore, Clerk, City of Bradenton, and Ron Armstrong, representing Tampa Bay Regional Planning Council, were present to discuss PL-92-500, which/the public law under which funds are obtained for wastewater treatment facilities. Mr. Shore advised that the City has grant under Phase I (Planning) and cannot advance to Phase II and Phase III (design and construction) until the County proceeds with Phase I to implement 201 Plan for expansion of the plant from 9 mgd to 18 mgd to accept the City.

Mr. Angelidis explained that the City is under directive to phase out its waste treatment plant and County has to implement Phase I and

when the planning stage done will be eligible to go into II and III; that one of the implementation requirements is that there are representative attitudes in the program. He requested and recommended that the Board appoint a member to a steering committee, which will include an official from the City of Bradenton, one from the Island community and one from Long Boat Key, to work through Mr. Shore and him to supply the necessary information to the governing bodies.

Motion was made by Mr. McClure that the Board approve the recommendation of Mr. Angelidis. Motion was seconded by Mr. Dierks and carried.

Mr. Dierks moved that Mr. McClure be appointed as member of the steering committee on 201 Planning Facilities for Manatee County's Southwest Service Area (Wastewater treatment). Motion was seconded by Mr. Hutches and carried unanimously.

SEWER LINES TO SCHOOLS - CHANGE ORDER PART C, SECTION I

Motion was made by Mr. McClure that change order be authorized to provide installation of sewer lines to serve the Harllee and Blanche Daughtery Schools, at estimated cost of \$178,743.00, as recommended by Mr. Angelidis and Paul Williams, Russell & Axon Consulting Engineers. Motion was seconded by Mr. Hutches and carried unanimously.

**SEWERAGE TREATMENT WORKS, PART B;) APPLICATION PAYMENT
SEWERAGE PROJECT & TREATMENT FACILITIES) GRANT FUNDS**

Motion was made by Mr. McClure that the Chairman be authorized to execute request to the Department of Housing & Urban Development for release of grant funds on Sewerage Treatment Works Part "B", Project No. 6681-8b (Part B) WS-Fla-216, in the amount of \$232,185.78 (progress payment Woodruff & Sons, Inc.). Motion was seconded by Mr. Fortson and carried.

Motion was made by Mr. McClure that the Chairman be authorized to execute request to the Department of Pollution Control (EPA) for release of grant funds for Sewerage Treatment Works - Part A and B, Project No. 6681-8B (Part A) WPC-Fla 337 (Grant PL-660), in the amount of \$889,792.00. Motion was seconded by Mr. Fortson and carried unanimously.

**AGRICULTURAL CENTER: BUDGET AMENDMENT (ITEM TO ITEM TRANSFER)
EQUIPMENT RENTAL AGREEMENT (IBM MAG-CARD TYPEWRITER)**

Dr. James App, County Extension Director, submitted rental contract for a Mag-Card Typewriter, between Manatee County and International Business Machines Corporation, for the Agricultural Department, and requested item to item transfer in the budget to provide funds for rental of the equipment from December 1, 1974 to September 30, 1975.

Motion was made by Mr. Fortson to approve Dr. App's request (execute Equipment Rental Agreement) and that the following Item to Item transfer be authorized:

From
Account No. 11.6302.328.00.6 (Travel)
11.6302.402.00.1 (Equipment) \$2115.00
To Account No. 11.6302.341.11.7 (Contracted Services)

Motion was seconded by Mr. McClure and carried unanimously.

AGREEMENT RECORDED W25-49

AGRICULTURAL DEPARTMENT: OFF-SET PRINTER

Motion was made by Mr. Fortson that the low bid submitted on an Off-Set Printer for the Agricultural Department be approved:

K. K. Brown Amount \$2,063.22

Motion was seconded by Mr. McClure and carried unanimously.

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HOUSEMOVING PERMIT (HARLLEE)

Upon motion by Mr. Hutches, seconded by Mr. Dierks and carried, application of

P. S. HARLLEE to move a building from 903 So. Palm Ave., Sarasota, to 500 feet north of SR 64 to Harllee Farms Pre-moving No. 621

was unanimously approved.

ANNUAL BIDS - HIGHWAY DEPARTMENT

Upon motion by Mr. McClure, seconded by Mr. Hutches and carried, the County Engineer was authorized to advertise for annual bids on materials, supplies and services for the Highway Department.

OFFICE SPACE: LIBRARY & STATE ATTORNEY

The County Attorney advised that he had been negotiating with Charlie Moran on leases for office space in the Perrine Plaza for (1) Library and (2) State Attorney; that on Library lease he was willing to drop request for increased rent, but would be renegotiated when it expires on January 31st. The lease on State Attorney's office expires on December 31, 1977 and Mr. Moran suggested redo this lease and extend one year for an additional \$75.00 per month (\$500 to \$575 per month).

Motion to approve the negotiation settlement and extend lease subject to approval of the State Attorney, and at county's option, was withdrawn pending further investigation and possible action at the next regular meeting of the Board.

SANITARY SEWER FACILITY - CONSTRUCTION ORDER RATIFIED

Mr. Hutches moved for the adoption of a Resolution confirming and ratifying that certain Resolution entitled "Resolution Ordering Construction of Sanitary Sewer Facility Pursuant to the Provisions of Florida Statute 153.05" adopted by this Board on October 15, 1974. (Public hearing for objections on construction and levying of special assessments held October 29, 1974.) Motion was seconded by Mr. McClure and carried unanimously.

RESOLUTION RECORDED W25-50

HARBOR VENTURES - ASSESSMENT

Upon recommendation by the County Attorney, motion was made by Mr. Fortson to approve settlement approved by the Tax Assessor in the case of

Harbor Ventures et al vs Robert Hutches et al
CA 5159 for 1971 tax year, wherein assessment was placed back at the agricultural level and value assessed at \$330.00 per acre (rather than \$1500 per acre).

Motion was seconded by Mr. Dierks and carried unanimously.

ELECTIONS: CANVASSING BOARD

Certificate of County Canvassing Board, certifying returns of the General Election of November 5, 1974, was received and made a part of the Record.

FILED

W25-51

CONSTRUCTION TRUST FUND

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

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-94

Quality Steel Fence Company	\$1,492.35
Keith W. & Mary Lou Ingwer	150.00
James M. Doss & Associates	250.00

and acceptance of temporary easement from KEITH W. & MARY LOU INGWER

for Manatee County Utilities System. Motion was seconded by Mr. McClure and carried unanimously.

RESOLUTION RECORDED W25-52

Mr. McClure moved for the adoption of a Resolution authorizing Chemical Bank to invest \$435,276.20 in 6-months Certificate of Deposit, 13.5M Reserve Account. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED W25-53

MCUS METER DEPOSIT ACCOUNT

Mr. McClure moved for the adoption of a resolution authorizing the Director of Manatee County Utilities System to establish "\$13.5 Meter Deposit Account" at the Westside National Bank, and designating persons authorized to withdraw funds from said account to be any two of the following named persons:

CHRIS ANGELIDIS, Director, Manatee County Utilities System, or ROBERT B. PATTERSON, Office Manager, or VIRGINIA PENNINGTON, Chief Clerk, Manatee County Utilities System.

Motion was seconded by Mr. Fortson and carried unanimously.

RESOLUTION RECORDED W25-54

WARRANT LISTS & REQUISITIONS

Upon motion by Mr. Hutches, seconded by Mr. Dierks and carried un-animously, the Board approved Requisitions and Warrant Lists from November 5 to November 12, 1974 and authorized Warrant Lists to November 19, 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 December 3, 1974.)

BONDS

Upon motion by Mr. Hutches, seconded by Mr. Fortson, the following bonds were unanimously approved:

Moving & Alteration of Buildings

R. E. JOHNSON, JR.	\$1500	Safeco Insurance Company
For J. H. Smith		
Pre-moving No. 559		
ROWE A. MEADE	\$1500	Auto-Owners Insurance
Pre-Moving No. 301		

County Commissioners - OFFICIAL BONDS

(#4) KENNETH D. DIERKS	\$2000	Auto-Owners Insurance
(#2) DAN P. McCLURE	2000	Hartford A & I Company

BILLS FOR PAYMENT

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

Manatee Memorial Hospital (Trevino)	33.25
Manatee Memorial Hospital	\$3356.72

VIET NAM MEMORIAL

Motion was made by Mr. McClure that payment of \$300.00 to Watson and Dodge be approved. This was for putting in foundation for the Viet Nam Memorial on the Court House Mall. Motion was seconded by Mr. Dierks and carried unanimously.

CERTIFICATES OF CORRECTION

Upon motion by Mr. Fortson, seconded by Mr. Hutches, the Board unanimously approved Certificates of Correction (E & I) on the

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current Tax Roll as recommended by the County Tax Assessor. (Listed page

CITY-COUNTY STUDY COMMITTEE

Mr. Fortson recommended that funds be made available for expenses of the City-County Governmental Study Committee; that the amount to be made available \$500.00 and determination be made at a later date as to source. There were no objections.

MEETING ADJOURNED

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

Attest:

M. T. McInnis, Clerk



Deputy Clerk

APPROVED: April 1, 1975



Chairman