

DECEMBER 3, 1974

The Board of County Commissioners of Manatee County, Florida, met in **REGULAR SESSION** in the Court House in Bradenton, Florida, Tuesday, December 3, 1975 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.

#### ALCOHOL PROGRAM - REQUEST FOR FUNDS

Mrs. Robert (Alice) Boylston, representing the Manatee Guidance Center, was present with a special committee who had been working on the implementation of a Comprehensive Alcoholism Prevention Control and Treatment Center as provided in the Meyers Act passed in 1971. She outlined the accomplishments under sections of the Act now in effect and the new approach to alcoholism when, after January 1, 1975, a section would become effective to treat as sickness and adequate, appropriate medical, psychiatric and other rehabilitative treatment services shall be provided. The treatment center, Glen Ridge Home on Manatee Avenue West, is supposed to become operational January 1st, 1975, but there are not sufficient funds to staff the facility. She requested the County to furnish local matching funds in the amount of \$15,000 so this program can be implemented.

Following discussion as to referrals to the facility, establishing reasonable fees for services and possibility of matching funds from the state (\$25,00) for a 14-bed modular building, the matter was referred to Mr. Fortson, as committee on finance and budget, to research as to source of funds on local basis. Question of legislation for taxing alcoholic beverages to provide funds for this program was discussed.

#### ORDINANCE - HISTORICAL COMMISSION

The County Attorney read a proposed Ordinance establishing a Manatee County Historical Commission and naming members and terms of such Commission. Motion was made by Mr. Fortson that public hearing on the proposed Ordinance be held on December 24, 1974. Motion was seconded by Mr. Hutches and carried unanimously.

#### JAIL RULES & REGULATIONS (DIVISION OF CORRECTIONS)

Sheriff R. W. Weitzenfeld gave a report on the meeting (public hearing) in Tampa on November 21, 1974, on proposed new rules of operation of County and Municipal Jails, promulgated by the Department of Health and Rehabilitative Services. He said the hearing had been extended to December 10th in order that the County Commissioners' Association and the League of Municipalities would be able to get some input for consideration at the hearing. Mayor A. K. Leach, of Bradenton, was the only municipal representative at the hearing as others had not been notified. The Sheriff stated that the Sheriffs (organization) did not condur with any of the so-called revisions.

#### REGION VIII LAW ENFORCEMENT AGENCIES FUNDS TO TAMPA CRIME LABORATORY

Art Fischer, Planning Director, referred to request of the Bureau of Criminal Justice Planning & Assistance requesting a waiver of part of Region VIII's 1974 LEAA action fund allocation to Hillsborough County for the Tampa Crime Laboratory and concurrence of Tampa Bay Regional Planning Council to redirect the total share for Pasco County and Manatee County (total \$14,116.00) to the Tampa Crime Laboratory. He and Sheriff Weitzenfeld recommended that this method of transferring of local LEAA funds (prorata share Manatee County

\$7058.00) be approved.

Motion was made by Mr. McClure to accept the recommendation to authorize transfer or waiver of Manatee County's part of Region VIII LEAA funds to the Tampa Crime Laboratory. Motion was seconded by Mr. Hutches and carried unanimously.

#### ZONING

Recommendations of the Planning Commission were presented by Art Fischer, Planning Director.

R-706 NORMAN T. SPONG R-1 & C-1 POSTPONED  
(George T. Smith, agent) - Request to change zoning on 54.31 acres from "A" to R-1 and 6.03 acres from "A" to C-1, property located 1/2 mile east of Morgan Johnson Road on the east side of Kay Road and north of SR 64. The Planning Commission recommended denial.

Mr. Fischer explained that the recommendation for denial was based upon the fact that the applicant said he could not develop the property if he has to set aside the land for I-75 in addition to areas set aside for schools, recreational purposes, etc.; however, as Planning Director he tended to favor approval particularly after viewing the entire area with one of the members of the Planning Commission. He said proposal was compatible with development of the surrounding area and need for this type of housing in this price category.

George Smith was present. He said it would be unfeasible to develop as subdivision if all areas set aside for schools, recreation and right-of-way as it would make the cost of the lots prohibitive.

Motion to approve R-706 for rezone from A to R-1 with the deletion of that portion which lies within the Interstate right-of-way (as shown on map from Department of Transportation), and postpone adoption of the resolution until legal description obtained, was withdrawn in favor of the legal descriptions being revised and the Resolution redrafted.

SE-754 ROY AMERSON, ET AL M/HOME APPROVED  
(TU-382) - Request to permit a second mobilehome as dwelling in conjunction with agricultural use on 40 acres located south of Buckeye Road and west of Ellenton-Gillette Road. Planning Commission recommended approval for a period of two years and may be extended an additional two years by the Planning Director.

Mr. McClure moved for the adoption of a Resolution approving SE-754 for Roy Amerson, et al, as recommended by the Planning Commission. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

ZONING  
SE-754

SE-760 JACK RODGERS' TENNIS CLUB; LIGHTING APPROVED  
Request to amend SE-638 to include outside lighting on 5.88 acres southwest corner of 75th Street W. and 9th Avenue, North West. The Planning Commission recommended approval subject to stipulations as to non-glare lights, height and turn-off time.

Mr. Rodgers was present. He advised that he contemplated using the DeVoe lighting system at height of fourteen (14) feet, but this system is new and if it does not prove satisfactory he would like to be permitted to use conventional lighting system without having to go

through the entire procedure (obtain another Special Exception) again.

Mr. Fortson moved that SE-760 for Jack Rodgers' Tennis Club be approved as recommended by the Planning Commission and that the appropriate resolution be adopted. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED

ZONING  
SE-760

SE-762 (SE-677)

TAYLOR & FULTON                      LABOR CAMP POSTPONED

Request to permit a labor camp, with four duplexes, on 4.54 acres located 1/2 mile south of Mendoza Road and 3/4 mile north of Memphis Road, 1/8th mile east of State Road 683 (Ellenton-Gillette Road), Ellenton.

The Planning Commission recommended approval.

Mr. Fisher referred to a question by the County Engineer as to access road, stating that there were no roads serving the area. Mr. McClure recommended that Mr. Fischer confer with Mr. Taylor about acquiring right-of-way and developing a rural type road into the area.

Action on SE-762 for Taylor & Fulton was postponed pending further information on access road and questions on type of heat for the units, etc.

SE-763 AMOCO PRODUCTION COMPANY; EXPLOR. WELL APPROVED

(St. Petersburg Bank & Trust Co., Trustees) - Request to permit drilling exploratory well in search of petroleum on 160.624 acres located two miles south of SR 62, approx. 9 miles east of Parrish.

The Planning Commission recommended approval for a period of six months.

Mr. Fischer explained that at the public hearing O. E. Randle, Pollution Control Director, requested approval subject to certain provisos, and these provisos were not included in Planning Commission recommendations as it was understood that they had been agreed upon between Mr. Randle and applicant's representative.

Mr. Gibson, representing the petitioner, stated they would comply with rules and regulations of the Department of Natural Resources and assumed this was acceptable to Mr. Randle. This was regarding Section 16C-2.05 providing that samples, cuttings, cores, logs, well records, etc., will be kept confidential for a period of six months after completion ..... that they are a competitive industry and wish to keep such records confidential for an appropriate time.

Chairman Burton stated this was in his District and he had no objections to approval.

Motion was made by Mr. Hutches that SE-763 for Amoco Production Company be approved for a period of six months subject to stipulation that information be furnished the Manatee County Pollution Control Department as requested under the same restrictions as in rules and regulations of the Department of Natural Resources, and that appropriate resolution be adopted to that effect. Motion was seconded by Mr. Dierks and carried unanimously.

SE-765 REV. NORMAN T. SPONG (Nadine Peterson, agent)

(SE-665) PHILADELPHIA CHURCH SCHOOL FACILITIES APPROVED

An amended Special Exception requested to permit an expansion of existing facilities for a school (Grades 1 through 12) on .48 acre located east of 64th Street E., and north of S.R. 64, Bradenton.

The Planning Commission recommended approval.

DECEMBER 3, 1974

(Cont'd)

Mr. Hutches moved for the adoption of a Resolution approving SE-765 for the Philadelphia Church as recommended by the Planning Commission. Motion was seconded by Mr. McClure and carried unanimously.

RESOLUTION RECORDED ZONING  
SE-765

SE-766 JAMES & BENJAMIN BOWEN EARTH MOVING APPROVED  
(Jack H. Eubank, agent) - Request to permit earth moving to enlarge an existing pond on 5.45 acres (property area 96 acres plus/minus) located east of Ellenton and Gillette Road, approximately one mile south of Buckeye Road, Palmetto. The Planning Commission recommended approval.

Mr. McClure moved for the approval of SE-766 for James & Benjamin Bowen and waiver of bond requirement and master plan and that the appropriate resolution be adopted. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED ZONING  
SE-766

SE-767 J. W. HAMPTON, ET AL; R. M. CAMPBELL, ET AL  
Request to permit a mobilehome as dwelling in conjunction with agricultural use on 60.60 acres located north and south of Singletary Road, approximately 4 miles west of Myakka City. The Planning Commission recommended approval for 4 years.

Mr. Hutches moved for the adoption of a Resolution approving SE-767 for R. M. Campbell and J. W. Hampton, et al, for a period of four years. Motion was seconded by Mr. Dierks and carried unanimously.

RESOLUTION RECORDED ZONING  
SE-767

SE-768 GENERAL TELEPHONE COMPANY OF FLORIDA,  
HILLSBOROUGH COUNTY; ANTENNA SUPPORT APPROVED  
Request to permit installation of antenna supporting structure for a new mobile radio system in a C-1 Zoning District on 1.22 acres located 716 - 49th Street E., Palmetto. (Structure 160 feet high) The Planning Commission recommended approval.

Mr. Ed Mulock, attorney, was present on behalf of General Telephone Company. Mr. Kirsten, engineer, was also present. Upon question, they advised that FAA rules were not applicable because of height, that engineering data indicates minimum requirements exceeded.

Mr. McClure moved for the adoption of a Resolution approving SE-768 for General Telephone Company of Florida. Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED ZONING  
SE-768

SE-687 VELTMAN & ASSOCIATES RE: NURSING HOME, ADOPTED  
(R-673) (J. Kenneth & Margaret Brooks)  
Location: 5620 - 26th Street West (Sunset Acres)

Mr. Fortson moved for the adoption of a Resolution approving SE-687 for Veltman & Associates and granting a waiver of Section VI, Paragraph II, of the Zoning Ordinance for a one-year extension to complete 25 percent of the construction of the proposed nursing home, approving subject property as a Special Exception for said nursing home subject to stipulations as outlined in said Resolution. (Limited to 120 patients; construct 56th Avenue W. concurrent with construction of nursing home; applicant pay pro rata share 27th Street W. improvements, access via 27th Street W. paved, conform to style and elevation plans as submitted.) Motion was seconded by Mr. Hutches and carried unanimously.

RESOLUTION RECORDED ZONING  
SE-687

**ARBOR TERRACE, PART II; EL CONQUISTADOR PARKWAY  
BONDS RELEASED**

The County Engineer advised that he had inspected improvements and that work had been completed in a satisfactory manner in Arbor Terrace, Part II, and on El Conquistador Parkway and recommended that the bonds be released.

Motion was made by Mr. Fortson that the recommendation of the County Engineer be accepted and that the following bonds be authorized released:

- 1) Performance Bond No. 4208487 for the completion of roads and drainage in Arbor Terrace, Part II, from Trailer Park Construction Company, Inc., as principal, and Hartford Accident & Indemnity Company, as Surety, in the amount of \$9,900.00;
- 2) Cash Bond in the amount of \$3,000 from Willow Industries, Inc., as guarantee to correct minor deficiencies on El Conquistador Parkway.

Motion was seconded by Mr. McClure and carried unanimously.

**PARKS & RECREATION: TENNIS COURTS HOLMES BEACH, ELLENTON**

Mr. Fortson submitted request from the City Council, City of Holmes Beach, that the Parks & Recreation Department proceed with building the two tennis courts as planned. The County Attorney noted that there is a controversy about the City owning airport property where the courts are to be located in Holmes Beach.

Upon question as to whether the tennis courts at Holmes Beach and the two tennis courts to be located at Blackburn School, Ellenton, could be two areas where cut-backs could be considered, Mr. Fortson said he would discuss further with John Marble, Director of Parks & Recreation.

**MANATEE COUNTY UTILITIES SYSTEM**

**BIDS ACCEPTED: TRUCKS**

Motion was made by Mr. McClure to accept low bids on one 1/2-ton pickup truck and three compact trucks for Manatee County Utilities System, as recommended by Chris Angelidis, director, as follows:

|                              |                        |            |
|------------------------------|------------------------|------------|
| <b>COX CHEVROLET COMPANY</b> | 1/2 ton 75 Chevrolet   |            |
|                              | Pickup Truck           | \$3,794.43 |
|                              | 3 compact trucks (LUV) | 7,999.29   |

It was noted that the low bid (by 20 cents), submitted by Robbins International was alternate bid on a 1974 Model 100, which did not meet specifications. Motion was seconded by Mr. Hutches and carried.

**SOUTHEAST HIGH SCHOOL - HARV PERMIT**

Art Fischer submitted letter from Dick Mills requesting return of fee of \$60.50 for an HARV permit issued for Southeast High School, stating he had been informed that permit fees for this building have been waived. Action was not taken on this request pending research as to policy or waiver in connection with other than permits for schools on new construction.

**SELF-SERVICE GAS SERVICE STATIONS**

It was brought to the attention of the Board by Mr. Fischer that the Manatee County Zoning Ordinance prohibits Self-Service Gasoline Stations, but a bill passed by legislation stops the county from imposing that restriction, and the County Attorney had advised that the County cannot prohibit them.

DECEMBER 3, 1974

(Cont'd)

FLOOD INSURANCE - MANATEE COUNTY  
ELIGIBILITY REINSTATED (HUD)

Mr. Fischer advised that he had received a letter from George K. Bernstein, Federal Insurance Administrator, Department of Housing and Urban Development, that Manatee County's eligibility for the sale of flood insurance will be reinstated, effective November 27, 1974, and the National Flood Insurers Association had been advised of this reinstatement. Attached to the letter, with no reference as being a part, was copy of their ground rules on variances.

HOUSEMOVING PERMITS

Upon motion by Mr. Fortson, seconded by Mr. Hutches, the following application was unanimously approved:

A. D. ALCOTT - to move a building from 8709 9th Ave. N.W.  
to another location on the same parcel.

Pre-moving No. 791

Upon motion by Mr. Hutches, seconded by Mr. Fortson, the following application was unanimously approved:

J. H. SMITH - to move a building from 1403 10th Street,  
Bradenton, to 1827 18th Street E., Palmetto

Pre-moving No. 878

Upon motion by Mr. Dierks, seconded by Mr. Hutches, the following application was unanimously approved:

RONNIE FORTNER - to move a building from 8500 Cortez Road  
to 5006 34th Ave. E.

Pre-moving No. 760

CONSTRUCTION TRUST FUNDS

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

WATER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. B-21

James M. Doss & Associates \$337.00

Motion was seconded by Mr. McClure and carried unanimously.

✓ RESOLUTION RECORDED W25-75

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

SEWER SYSTEM CONSTRUCTION TRUST FUND

Requisition No. 24.4 B-97

Robert R. Liskey & Mary E. Liskey \$50.00

and acceptance of easement from ROBERT R. & MARY E. LISKEY for Manatee County Utilities System. Motion was seconded by Mr. McClure and carried unanimously.

✓ RESOLUTION RECORDED W25-76

INDIGENT MATERNITY PROGRAM  
AGREEMENT WITH PHYSICIANS

Motion was made by Mr. Hutches that the Indigent Maternity Program, Manatee County Welfare Department, be approved, and that the appropriate county officers be authorized to execute agreement with the parties (physicians) to accept this program and the Criteria as outlined. The objective of this program is to furnish necessary care to the mother at O.B. Clinic (if determined medically indigent), Hospitalization for mother and child and physician's fees. Motion was seconded by Mr. Fortson and carried unanimously.

✓ RECORDED

W25-77

**TAX SUIT: PRESBYTERIAN HOMES  
REFUND 1972 TAXES**

Motion was made by Mr. McClure that the Board comply with Final Judgment of Circuit Court in Presbyterian Homes of the Synod of Florida vs. Gilbert Johnson, et al, Case #CA-6592 Manatee County Circuit Court, ordering total exemption of the Plaintiff from ad valorem taxes for the year 1972 and refund of taxes paid for that year; that the sum of \$16,867.80 be approved and authorized for refund to the said Presbyterian Homes of the Synod of Florida. Motion was seconded by Mr. Dierks and carried unanimously.

**CITIES TRANSIT - EXTENSION**

Motion was made by Mr. McClure that the contract with Cities Transit, for County to subsidize expenses to provide bus service, be extended to January 31, 1975, and that all buses be inspected by the Motor Vehicle Inspection Department on a monthly basis. Motion was seconded by Mr. Dierks and carried unanimously.

RECORDED W25-77A

**COUNTY COMMISSIONERS' COMPENSATION  
RE: COURT DECISION**

The County Attorney outlined the problem in interpreting the law concerning the amount of statutory compensation that is to be paid to the County Commissioners, noting that there was honest, fair and legitimate conflict of opinion between him and counsel for the Clerk of Circuit Court. In order to clarify the law, and to protect the Clerk and the Board of County Commissioners, he recommended that he be authorized to bring a complaint for declaratory decree just with the Circuit Court in Manatee County, and have the matter resolved by a court decision.

Motion was made by Mr. McClure that the County Attorney be authorized to pursue certification of this matter in Circuit Court. Motion was seconded by Mr. Hutches and carried unanimously.

**TAX COLLECTOR  
CENTRAL TELEPHONE SYSTEM**

Motion was made by Mr. Fortson to approve installation of a Central Telephone System, by General Telephone Company, in the offices of the Manatee County Tax Collector. Motion was seconded by Mr. Dierks and carried unanimously.

**WARRANT LISTS & REQUISITIONS**

Upon motion by Mr. Fortson, seconded by Mr. McClure and carried unanimously, Requisitions and Warrant Lists from November 26 to December 3, 1974 were approved and Warrant Lists to December 10, 1974 were authorized, 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 1/7/75)

**BUDGET AMENDMENTS**

It was brought to the attention of the Board that some decision would have to be made in connection with agreement with U. S. Geological Survey for Myakka River Basin study (\$6250.00) and additional \$20,000 for 1974-1975 if study continued on Manatee River, and funds to complete the project in 1975-1976. Other items to be considered (1) \$15,000 for the Alcoholic Program and (2) \$6,000 to the Historical Commission. These items were scheduled for discussion in work session the following Thursday.

**MYAKKA RIVER BASIN/U.S. GEOLOGICAL SURVEY**

Motion was made by Mr. Hutches that \$6250.00 be authorized paid to U. S. Geological Survey for study on the Myakka River Basin. Motion was seconded by Mr. Dierks and carried unanimously.

DECEMBER 3, 1974

(Cont'd)

## BUDGET AMENDMENT: MYAKKA RIVER BASIN STUDY (ITEM TO ITEM TRANSFER)

Motion was made by Mr. Fortson that Item to Item Transfer be approved and authorized in the 1974-1975 Budget as follows:

|      |  |    |           |
|------|--|----|-----------|
| From | Contingencies                            | \$ | \$6250.00 |
| To   | Appropriate Item<br>(Myakka River Basin) |    | \$6250.00 |

Motion was seconded by Mr. Hutches and carried unanimously.

## BILLS FOR PAYMENT

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

|  |    |        |
|--|----|--------|
| Professional Ancillary Services, Inc.<br>(Mueller, Cook, Hart, Seiglar, Jenkins) | \$ | 250.00 |
| Manatee Memorial Hospital (Mann)   |    | 32.75  |
| Alan H. Brice  |    | 597.00 |

## GENERAL REVENUE SHARING

Mr. Hutches moved for the adoption of a Resolution urging that (1) General Revenue Sharing be continued in its present form and (2) Passage of such General Revenue Sharing Legislation be a primary objective of our senators and congressmen and (3) governing boards of each county adopt similar resolution requesting continuation of Federal Revenue Sharing. (Copies to Manatee County delegation in Washington and all counties in State of Florida.) Motion was seconded by Mr. Fortson and carried unanimously.

RESOLUTION RECORDED W25-78

## WARRANT LISTS

November, 1974

|                                  |               |
|----------------------------------|---------------|
| General Revenue                  | 30974 - 30980 |
| Road & Bridge                    | 11972 - 11977 |
| Library                          | 713 - 718     |
| Court House I & S Reserve        | 466           |
| Hospital I & S                   | 115           |
| Library SCORE Grant              | 519 - 523     |
| Library Talking Books Grant      | 578 - 579     |
| Federal Revenue Sharing          | 449 - 450     |
| Manatee County Utilities System: |               |
| 24.4 Sewer Revenue               | 144 - 146     |
| 13.5 Revenue                     | 3946 - 3997   |
| 3.485 Revenue                    | 5009 - 5028   |
| 1.65 Revenue                     | 1080 - 1088   |
| Special Construction             | 217 -         |
| General Control                  | 9627 - 9813   |
| 24.4 R & R                       | 110           |
| 13.5 R & R                       | 171           |
| 3.485 R & R                      | 157           |
| 1.65 R & R                       | 156           |
| Clearing Account                 | 7706 - 8715   |

## MEETING ADJOURNED

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

Attest:

M. T. McInnis, Clerk

*M. T. McInnis*

Deputy Clerk

APPROVED: April 1, 1975

*Ken Burt*

Chairman