

JULY 27, 1976

The Board of County Commissioners of Manatee County, Florida, met in REGULAR SESSION in the Court House in Bradenton, Florida, Tuesday, July 27, 1976, at 9:05 A.M.

Present were Commissioners L. H. Fortson, Jr., Chairman  
Ken Burton, Interim Vice-Chairman  
Ken D. Dierks  
Robert C. Hutches

Also present were Henry E. Bourne, Deputy Clerk  
E.N. Fay, Jr., County Attorney (entered during meeting)

Vice-Chairman Dan P. McClure was not present.

The meeting was called to order by Chairman Fortson.

#### **FLORIDA PARK SUBDIVISION**

The Chairman opened the public hearing to consider the petition of Oneco Community Baptist Church to vacate a portion of the plat of Florida Park. (Enter Mr Fay).

Attorney John C. Manson was present to represent the petitioners. There was no one present to oppose the request and the public hearing was declared closed.

Motion was made by Mr Hutches to approve the vacation of a portion of the plat of Florida Park, as petitioned by Oneco Community Baptist Church. Motion was seconded by Mr Dierks and carried unanimously.

#### **PALMETTO GROVE & GARDEN COMPANY: PORTION PLAT VACATED**

Mr Burton made a motion to adopt a resolution vacating a portion of the plat of Palmetto Grove and Garden Company, as petitioned by Alton A. and Georgia E. McDonald (public hearing June 22, 1976). Motion was seconded by Mr Hutches and carried unanimously.

RESOLUTION RECORDED 226-153

#### **ZONING**

Recommendations from Planning Commission were presented by Art Fischer, Planning and Development Director.

##### SE-930 - EXHIBITS, INC.

(John C. Manson, Agent) - requesting a special exception to permit a menagerie on five acres located 1/4 mile east of Bethany Church on S.R. 64.

Planning Commission recommended approval for a period of five years and may be extended an additional five years by the Planning Director.

Attorney John Manson was present to represent applicant. Mr Fischer advised that this request had been deferred from July 20, 1976, until the applicant produced a plan for security of the area; that he had since received the plan (a survey showing existing facilities prepared by Leo Mills and Associates) and recommended that the special exception be granted.

Mr Burton made a motion to approve SE-930 as outlined by the Planning Commission and to adopt the appropriate resolution. Motion was seconded by Mr Hutches and carried unanimously.

ZONING

RESOLUTION RECORDED SE-930

##### R-780 - MARCUS F. RAYE

(Sidney R. Wilkinson, Agent) - request to change the zoning from R-1 to R-3 for a duplex development (51 duplexes - 102 units) on ten acres located at the 900 block of 21st Street, East, Palmetto. Planning Commission recommended approval.

Mr Raye and Mr Wilkinson were present to outline their plan.

JULY 27, 1976

R-780 - MARCUS F. RAYE

Cont'd

County Engineer stated that he would like the main access road through the development to remain as a public thoroughfare. Mr Raye advised that although the road will be privately built and maintained, he will grant public access. Mr Burton made a motion to approve R-780, provided that Mr Raye submit a letter, addressed to the Planning Commission agreeing to the stipulations that before any building permits are issued, (1) that the 26 (existing) houses would be condemned; (2) agreeing that 21st street would be paved; (3) that the sewer plant must be approved by the Health Department; (4) that the units per acre would be as stated (9.67 units per acre), and that the appropriate resolution be adopted.

Motion was seconded by Mr Dierks and carried unanimously. **ZONING RESOLUTION RECORDED R-780**

**PRIVATE STREET: F. E. DURRANCE**

Request for approval of a 30 foot easement, 660 feet in length, as a private drive to serve one dwelling located approximately 1/2 mile north of City Limits of Myakka City at the bend where Myakka City Road becomes Wauchula Road was received from Fulton E. Durrance. Mr Hutches made motion to approve Private Road #23 and authorize the County Attorney to draft an appropriate resolution. Motion was seconded by Mr Dierks and carried unanimously.

**TRANSIT DEPARTMENT  
BIDS - VACUUM CLEANER**

Mr Bourne opened and read bids received from the following, for the purpose of selecting a supplier for one 1976 Heavy Duty Vacuum Cleaner for the Transit Department:

TERRY SUPPLY CO.	\$254.00
COASTAL JANITOR SUPPLY, INC	280.00
WEIL CHEMICAL CO.	285.00
CAMERON & BARKLEY CO.	187.20
SUN SANITARY SUPPLIES, INC	198.00

**TRANSIT DEPARTMENT  
BIDS - OFFICE FURNITURE**

Mr Bourne opened and read bids received from the following, for the purpose of selecting a supplier for Office Furniture for the Transit Department:

P.K. SMITH OFFICE PRODUCTS	\$2,945.00	
KEETON'S OFFICE SUPPLY, INC	2,194.30	
HOCKENBURY OFFICE SUPPLY	2,263.44	(Item #12 - No Bid)
FLORIDA BUSINESS MACHINES	3,152.97	(Item #13 - No Bid)
FLORIDA BUSINESS MACHINES	2,928.76	(Item #13 - No Bid) Alter nate
BRADENTON OFFICE EQUIPMENT CO	2,946.45	

Phil Davis advised that the vacuum cleaner and the office furniture would be paid out of the federal grant funds. All the bids were referred to Mr Dierks and Mr Davis for review and recommendation back to the Board.

**CONSTRUCTION CODE BOARD OF APPEALS  
CITY OF HOLMES BEACH: AMENDMENT TO AGREEMENT**

Mr Hutches made a motion that the Chairman be authorized to execute Amendment to Agreement between Manatee County and the City of Holmes Beach, which stated that the County shall no longer provide administrative

JULY 27, 1976

Cont'd

assistance nor be entitled to or collect filing fees in connection with applications for variance nor minimum first floor elevation (flood elevation variances), pursuant to Ordinances No. 183 and 184 of the City, and that hereafter, all such variances shall be provided by the City of Holmes Beach Ordinances. Motion was seconded by Mr Dierks and carried unanimously. RECORDED 226-154

**CONSTRUCTION CODE BOARD OF APPEALS: FEE REFUND**

In view of the approval and execution of the preceeding Amendment to Agreement between the County and the City of Holmes Beach, Mr Fischer recommended refund of Variance Request Fee (\$100) paid to the County by Mr and Mrs William J. Adler. Mr Hutches made a motion that the \$100 filing fee be returned to Mr and Mrs William J. Adler. Motion was seconded by Mr Dierks and carried unanimously.

**HIGHWAY DEPARTMENT: BID AWARD RENTAL MOWING EQUIPMENT**

The County Engineer recommended acceptance of the low bid submitted by MARK BENNETT, for the rental of mowing equipment and operator, and requested that the two second lowest bidders, DAVID PEREZ AND HUEY SUGGS, be used in case of an emergency. Mr Dierks made a motion to accept bid of

		MARK BENNETT	- \$8.50 per hour
and accept bids of	-	DAVID PEREZ and	
	-	HUEY SUGGS	- 10.00 per hour

as alternates to be used only in case of emergency where demands for mowing warrants additional equipment. Motion was seconded by Mr Burton and carried unanimously.

**SPEED LIMITS: CERTIFICATION**

The County Engineer certified that the appropriate speed limit signs had been erected on the following roads in accordance with the resolution adopted July 6, 1976:

- 3rd Street West between its intersection with 53rd Avenue, West and its intersection with 57th Avenue, West; and
- 49th Avenue Drive West between its intersection with 30th Street West and its intersection with 34th Street West.

**HIGHWAY DEPARTMENT: TRAVEL**

The County Engineer advised that the Rozier Caterpillar Company of Tampa will conduct two three-day schools for the benefit of Manatee County Highway Department and requested authorization for the shop personnel to attend the classes in Tampa, at no cost to the County, except for transportation.

Mr Hutches made a motion that shop personnel of the Manatee County Highway Department be authorized to attend the two three-day schools at no cost to the county, except transportation. Motion was seconded by Mr Dierks and carried unanimously.

**59TH STREET WEST: CONDEMNATION PROCEEDINGS**

Mr Burton made a motion for adoption of a resolution authorizing condemnation proceedings in connection with acquiring additional right of way for improvements of 59th Street West, between Manatee Avenue and Cortez Road. Motion was seconded by Mr Hutches and carried unanimously.

RESOLUTION RECORDED 226-155

**AMBULANCE SERVICE: EMT TRAINING COURSE**

Ken McKendree advised that the Technical II course at the Vocational School (Emergency Medical Training Course), which had been scheduled in February, had been postponed due to lack of sufficient number of applicants, and a new class has been scheduled for September 6, 1976. He requested that the Board reaffirm its approval to pay the cost of the course for up to eight Ambulance Service employees and for class time when the men would normally be scheduled for duty.

JULY 27, 1976

Cont'd

Motion was made by Mr Hutches to reaffirm Board approval to send the requested number of employees to EMT Course. Motion was seconded by Mr Burton and carried unanimously.

**TRANSIT DEPARTMENT  
BID ON PICKUP TRUCK**

Phil Davis recommended the acceptance of low bid of

DICK COURTEAU'S GMC TRUCK CO - \$5,162.00

for a 1977 Pick Up truck for the Transit Department. (To be paid from Federal Capital Grant funds).

Mr Hutches made a motion that the low bid be accepted. Motion was seconded by Mr Dierks and carried unanimously.

**TRANSIT DEPARTMENT - DEPARTMENT OF TRANSPORTATION  
AGREEMENT: URBAN MASS TRANSIT IMPROVEMENT PROJECT**

Mr Hutches made a motion to adopt a resolution approving and authorizing the Chairman to execute a Joint Participation Agreement between the County and the State DOT concerning an urban mass transit improvement project (consisting of the acquisition of eight coaches, spare parts, fareboxes, communication equipment, service vehicle, maintenance and safety equipment, furniture, office equipment and facility - FL-05-0002-B.I. #185509 - Job #13000 -3812-010).

Motion was seconded by Mr Dierks and carried unanimously.

RESOLUTION/AGREEMENT  
RECORDED

Z26-156

**PERSONNEL: PAYROLL CHANGES**

Westwood Fletcher requested approval of previously coordinated personnel payroll modifications, with the following changes, and requested that the Chairman be authorized to execute the appropriate documents:

Delete: MVI - Reclassification - Gerald Bouchard  
Add: MCUS - New Hire - David B. Rister  
MCUS - New Hire - Donald A. McLain  
Hwy. - New Hire - Michael J. Hooks

Mr Fletcher also advised that the manning levels for the Highway Department, Park and Recreation, Planning and Development, and the Library System would be presented to the Board for consideration this week.

Mr Hutches made motion that the payroll modifications and the changes, as outlined, be approved and that the Chairman be authorized to execute the appropriate documents. Motion was seconded by Mr Burton. Voting "Aye" -Mr Hutches, Mr Burton and Chairman Fortson.

Mr Dierks voted "No". Motion carried 3 to 1.

**SOUTHWEST REGIONAL WATER POLLUTION CONTROL PROJECT  
PART F, - CONSTRUCTION RATIFIED**

Mr Dierks moved for the adoption of resolution confirming order to construct Part F of the Southwest Regional Water Pollution Control Project, Manatee County, Project No. 6681-6 and apportioning the cost thereof, as presented by the County Attorney.

The Chairman stated that he had received a letter from the Department of Environmental Regulations concerning the State Bond Loan closing and asked how this would tie in with the phasing of the construction bids. Herb Hayes stated that there would be no problem as the bids would not be opened until September 14, 1976.

Motion was seconded by Mr Burton and carried unanimously.

RESOLUTION RECORDED Z26-157

JULY 27, 1976

Cont'd

**SEWER PROJECT, PART F: ADVERTISE FOR BIDS**

Mr Dierks made a motion to authorize Herb Hayes to advertise for bids on the Sainitary Sewer Project No. 6681-6, Part F, Sections 1 thru 5, to be opened on September 14, 1976, at 9:00 A.M.  
Motion was seconded by Mr Hutches and carried unanimously.

**STATE ROAD NO. 70: MCUS PERMIT**

Mr Hutches made motion to adopt the resolution authorizing the execution of an application to the State Department of Transportation for a Use Permit for the construction and maintenance of a utility line within the right-of-way of SR 70, Section 13160.  
Motion was seconded by Mr Dierks and carried unanimously.

RESOLUTION RECORDED 226-158

**EAST BRADENTON GIRLS CLUB: LEAA GRANT EXTENSION**

Mr Hutches made motion that the Chairman be authorized to sign the LEAA Grant Extension for the Continuation of the East Bradenton Girls Club Project, to cover a 15-month period (11/1/75 thru 1/31/77), involving an additional \$9,000 in LEAA funds (total project budget \$43,333). Motion was seconded by Mr Burton and carried unanimously.

**GIRLS CLUB: COMMUNITY TRUST FUND APPLICATION**

Mr Hutches made motion to approve a Community Trust Fund Application for funding of the Girls Club "Keys to Careers" Project (\$14,574).  
Motion was seconded by Mr Dierks and carried unanimously.

**PUBLIC WORKS GRANT: YACHT BASIN**

Mayor Leach, City of Bradenton, requested that the Board consider developing a Yacht Basin on the west side of the Memorial Pier as a project for the proposed Public Works Grant to bring revenue and economic development into the community. Mayor Leach was advised that the matter would be reviewed.

**HOUSEMOVING PERMIT: MARTIN**

Mr Hutches made motion to approve a Housemoving Permit, Pre-moving #7094, for Hank Martin, to move a building from 1115 57th Avenue West to 5216 15th Street Court East. Motion was seconded by Mr Burton and carried unanimously.

**ANIMAL REGULATIONS: PROPOSED ORDINANCE**

Mrs Jerome Pratt, President of the Humane Society, presented and outlined a proposed ordinance, for the Board's consideration, for the purpose of protecting animals within the legal boundaries of Manatee County, including all incorporated and unincorporated areas, prohibiting, placing or confining animals in unattended vehicles without adequate ventilation and allowing the removal of animals by law enforcement officers. Mayor Leach, Sheriff Weitzenfeld and Mrs Gertrude Decker (Humane Society) were present to comment on the subject.

The County Attorney advised them that the County could not adopt an ordinance to be effective within the municipalities, that each city would have to adopt their own individual ordinances.  
The Chairman advised, with reference to animals confined in cars at recreational areas, that the Park Board would be contacted to discuss the possibility of the Board adopting a rule or regulation forbidding animals at the beaches.

JULY 27, 1976

Cont'd

Mr Hutches made a motion that the County Attorney be authorized to contact the appropriate agencies necessary to draft an appropriate ordinance. Motion was seconded by Mr Dierks and carried unanimously.

**MEDICAL EXAMINERS' PROGRAM: AGREEMENT**

Mr Burton made motion to authorize the Chairman to execute Agreement between the Manatee County and the Florida Department of Health and Rehabilitative Services for reimbursement for Medical Examiner Services for the fiscal year 1976-77 in the amount of \$20,025, to be allocated quarterly. Motion was seconded by Mr Dierks and carried unanimously.

AGREEMENT RECORDED Z26-159

**LIBRARY SYSTEM - HISTORICAL SOCIETY  
AGREEMENT: ARCHIVAL NEGATIVES**

Mr Dierks made a motion that the Chairman be authorized to execute the agreement between the Manatee County Library System and the Historical Society relating to the Library providing custodial care of the archival negatives of the Historical Society. Motion was seconded by Mr Hutches and carried unanimously.

AGREEMENT RECORDED Z26-160

**PORT AUTHORITY**

**LEASE AGREEMENT - REEDER**

Mr Hutches made a motion authorizing the County Attorney to negotiate and draw up a lease with Delbert T. Reeder relating to the use of agricultural property at Port Manatee owned by the County for Manatee County Utilities System, for the submission back to the Board. Motion was seconded by Mr Dierks and carried unanimously.

**AGRICULTURAL CENTER: HARLLEE BUILDING  
BIDS: NEW ROOF**

Mr Burton made a motion that Dick Aalberg, County Extension Director, be authorized to advertise for bids on a new roof for the Harllee Building at the Agricultural Center. Motion was seconded by Mr Dierks and carried unanimously.

**GIRLS CLUB: COMMUNITY TRUST FUND**

The County Attorney stated that the resolution authorizing the execution of the Community Trust Fund Application for the Girls Club was not adopted when the application was approved for execution earlier in the meeting; that the resolution needed to be rewritten and that a contract between the County and the Girls Club should be drafted.

The County Attorney was instructed to prepare the resolution and the contract for presentation back to the Board on Thursday, July 29, 1976.

**45TH STREET EAST: COUNTY MAINTENANCE**

Bob Moon presented highway maps and affidavits on 45th Street East and recommended that the road be accepted by right of maintenance under Florida Statute 95.361.

Mr Hutches made motion that 45th Street East be accepted by right of maintenance as recommended by the County Right of Way Agent. Motion was seconded by Mr Dierks and carried unanimously.

**HUMAN RESOURCES, DEPARTMENT OF  
ON-THE-JOB TRAINING**

Mr Hutches made a motion to approve, ratify, confirm and authorize the Chairman to execute OJT Contract #R-06, with the Alumicraft Foundry to train one Master Molder for the period of July 16, 1976 to February 11, 1977, in the amount of \$1,240. Motion was seconded by Mr Burton and carried unanimously. (Mr Dierks was not present for the vote).

CONTRACT RECORDED Z26-161

JULY 27, 1976

Cont'd

Mr Burton made a motion to approve, ratify, confirm and authorize the Chairman to execute OJT Contract #R-07, with Alumicraft Foundry to train one Snag Grinder and Mold Closer for the period July 19, 1976 to February 14, 1977, in the amount of \$1,240. Motion was seconded by Mr Hutches and carried unanimously.

✓CONTRACT RECORDED 226-162

**CETA III: GRANT APPLICATION**

Mr Hutches made a motion to approve and authorize the Chairman to execute an application to the U.S. Department of Labor for a CETA Title III Grant for a Pre-Trial Employment and Training Program, in the amount of \$192,135. Motion was seconded by Mr Burton and carried unanimously.

**PLANNING & DEVELOPMENT DEPARTMENT**

**RE: WAIVER OF FEES (ROGERS TENNIS CLUB)**

Art Fischer advised that Jack Rogers had submitted an application to the Planning and Development Department to modify the lighting of his Tennis Club on 75th Street West, and had requested that the filing fee be waived since he has already paid the filing fee twice (once for the original application for the tennis club, and once for an application for night lightning).

Mr Fischer was advised that the application would have to come back to the Board for consideration and that it is a policy of the Board to not waive fees for other than governmental agencies.

**PLANNING & DEVELOPMENT DEPARTMENT**

**RE: CITY OF BRADENTON BEACH COMPREHENSIVE PLAN**

Chairman read a letter from the City of Bradenton Beach requesting that the Planning and Development Director provide staff assistance to the Bradenton Beach City Planning and Zoning Commission in the preparation of their required Comprehensive Plan.

Art Fischer stated that he had no objections but would like to outline the program and propose to do this Plan at the same time as the County's.

The County Attorney requested that a cost estimate for these services be prepared, noting that the City of Bradenton Beach is one of the plaintiffs in the Double Taxation Suit.

Since there were no objections from the Board, Mr Fischer was instructed to prepare a reply to the request by the City of Bradenton Beach for presentation back to the Board.

**PLANNING & DEVELOPMENT**

**RE: LAND USE BY COUNTY AGENCIES**

Art Fischer requested that the County Attorney be authorized to look into the matter of the applicability of the County's Land Use regulations to County agencies and other elements of the government. The County Attorney was so instructed.

**BUDGET AMENDMENTS**

Mr Hutches made motion, seconded by Mr Dierks, and motion carried unanimously, to adopt resolutions authorizing the budget amendments as follows:

Item to Item Transfers:

Housing Authority

FROM: Travel .....	\$350.00
TO: Rental - \$50.00; Office Equipment - \$200.00 and Communications - \$100.00 .....	\$350.00

RESOLUTION RECORDED

226-163

Civil Defense

FROM: Utilities - \$150.00; Supplies \$100.00 Salaries - \$700.00 .....	\$950.00
TO: Maintenance of Equipment (\$250 & \$700.) .....	\$950.00

RESOLUTION RECORDED

226-164 Cont'd

Planning & Development

JULY 27, 1976

BUDGET AMENDMENTS:

Cont'd

Item to Item Transfers:

Planning & Development (Cont'd)

FROM: Postage - \$200.00; Local Travel - \$400.00... \$600.00  
TO: Equipment..... \$600.00

RESOLUTION RECORDED  
226-165

Receipt & Appropriation of  
Unanticipated Funds (State of Florida):

Anna Maria Bayfront Park

Increase Revenue: Anna Maria Bayfront Park \$54,217.79  
Increase Expenditures: Anna Maria Bayfront Park \$54,217.79

RESOLUTION RECORDED  
226-166

Ambulance

Increase Revenue: State Ambulance Assistance \$ 9,281.29  
Increase Expenditures: Equipment - Ambulance \$ 9,281.29

RESOLUTION RECORDED  
226-167

**BONDS**

Mr Hutches made motion to approve bonds as follows:

Sheriff's Department

✓Addition: Mary K. Younger - Booking Clerk  
Delete: ✓Brayton D. Cooper - Jail Cook  
      ✓Shirley E. Brown - Booking Clerk  
      ✓Marvin Vititoe - Regular Posseman.

Motion was seconded by Mr Burton to approve the bonds for the Sheriff's Department and carried unanimously.

Driveway Permit

Gladys Pitrone - Cash Bond and Money Order #20570,  
Permit #2427

**WARRANT LISTS & REQUISITIONS**

Mr Hutches made a motion to approve Requisitions and Warrant Lists from July 20 to July 27, 1976, and authorize Warrant Lists to August 3, 1976, 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.

Motion was seconded by Mr Dierks and carried unanimously.

**BILLS FOR PAYMENT**

Mr Burton made a motion to approve following bill for payment:

MANATEE MEMORIAL HOSPITAL \$40.25

Motion was seconded by Mr Dierks and carried unanimously.

**BOARD OF TAX ADJUSTMENT**

Chairman read a letter from the Superintendent of Schools, stating that Mrs Mary W. Yelvington and Theodore H. Griffin had been elected as School Board members to serve on the Board of Tax Adjustment.

**ELECTIONS: POLLING PLACES**

Letter was read from the Supervisor of Elections, Jerome Davis, regarding new legislation requiring the accessibility of polling places to elderly persons and the physically handicapped, and suggested that a supervisor visit the polling places throughout the



JULY 27, 1976ELECTIONS: POLLING PLACESELECTIONS: POLLING PLACES

Cont'd

County to determine which do not comply with the new bill. The Chairman advised that if there were no objections, he would discuss this with Mr Davis and ask him to review this matter and report back to the Board on what is needed to comply with this bill. There were no objections.

WESTWINDS MOBILE HOME PARK: DRAINAGE DITCH

Jim Nicholson, Westwind Mobile Home Village, explained that a drainage ditch on the east side of the park is inadequate and that every time it rains, the area is flooded. To his knowledge, the ownership of the ditch had not yet been determined.

Mr Fortson stated that the Highway Department advised him that this ditch was privately owned and that the County does not have the authority to clean or deepen it; however, investigation would be continued in an effort to relieve the problem.

INSURANCE: WORKMAN'S COMPENSATION

Mr Burton made a motion that the County Attorney be authorized to prepare a resolution, for presentation back to the Board, authorizing Neville Pilling to set up a Self-Insurance Program for Workman's Compensation for Manatee County and Manatee County Utilities System. Motion was seconded by Mr Hutches and carried unanimously.

INSURANCE: LIABILITY - COUNTY VEHICLES

Mr Burton advised that he would have a recommendation for the Board regarding the cancellation of the liability insurance on County vehicles by Thursday, July 29, 1976.

SPECIAL MEETING

SPECIAL MEETING was called for Thursday, July 29, 1976, to take action on Sheriff's Budget and any other items that may come before the Board.

MEETING ADJOURNED

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

Attest:

Approve:

M.T. McGINNIS

  
Deputy Clerk

  
Chairman

ml