

SEPTEMBER 16, 1976

PUBLIC HEARING

The Board of County Commissioners of Manatee County, Florida, held a Public Hearing at City Hall in Bradenton, Florida, on Thursday, September 16, 1976, at 7:14 p.m.

Present were Commissioners L.H. Fortson, Jr., Chairman
Dan P. McClure, Vice Chairman
Ken Burton

Also present were Robert C. Hutches
H.E. Bourne, Deputy Clerk
E. N. Fay, County Attorney

ORDINANCE NO. 76-7

Chairman Fortson declared the public hearing open to consider Ordinance No. 76-7

AN ORDINANCE PROVIDING FOR THE CONDUCTING OF A SPECIAL REFERENDUM ELECTION TO BE HELD ON NOVEMBER 2, 1976, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS RESIDING IN MANATEE COUNTY, FLORIDA, THE FOLLOWING QUESTION:

"SHOULD PERMITS AND/OR SPECIAL EXCEPTIONS FOR THE STRIP MINING OF PHOSPHATE BE GRANTED WITHIN MANATEE COUNTY, FLORIDA?"

providing for polling places, the appointment of election officials, the hours of voting, the preparation of ballots and publication of notice and providing an effective date.

He advised that the Fire Marshall of the City of Bradenton had restricted the number of people occupying the building and had locked the doors; that there was a large number of people outside the building who wanted to attend the meeting, and asked the County Attorney to speak to the problem.

Mr Fay suggested that, in fairness to the people outside, and as a courtesy, that after each person had made his presentation, if there were no necessity in his staying, that he surrender his place to some one waiting outside.

Attorney John Harllee objected to that order of procedure. He stated that since this public hearing is legally binding upon which an ordinance could be adopted, everybody who wants to speak has to be in the room at the same time, and that unless the meeting room was large enough for everyone to attend, he did not think the public hearing would be valid.

Mr Fortson stated that he agreed with Mr Harllee, that everyone wishing to speak on the subject should be present. At that, the only thing he could suggest would be to reschedule the meeting to another place. Upon advice from the County Attorney, Mr Fortson asked the petitioners if they had any objections.

Attorney Don Hadsock, representing the petitioners, stated that they would have no objection to the people outside being allowed to sign up to be heard during the meeting, and as people leave, they would be brought in as space allows. He said that they were working under a time schedule because of the position that the Supervisor of Elections has taken. He said that they would have no objection to any kind of a fair proceeding, that the Board wishes to have, and they would cooperate as long as the public hearing is held. He also stated that there was no legal basis to suggest that because physically only so many people could come in that the public hearing would not be valid.

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Mr Fay suggested that the Mayor of the City of Bradenton be contacted to secure extra fire protection so that the Fire Marshall would allow the people to come in.

After a short recess, the public hearing was reopened at 7:33 p.m.

Mr Fay reviewed the procedural ground rules for the hearing.

Mr Hadsocł made a presentation on the ordinance and asked that the Board favorably consider the referendum.

Among those present and speaking in favor of the adoption of the ordinance providing for a Special Referendum Election were:

Bill Burger - Rt 1, Box 409, Palmetto
 Michael Hutchinson - 420 49th Street East, Palmetto
 Leonard Feldman - 4823 Commonwealth Road, Palmetto (representing
 Bay Colony Property Owners Association)
 Mary Mulligan - 2703 22nd Street, West, Bradenton
 Benjamin Kresker - 4108 Neil Lane, Bradenton (representing Home
 Owners Assn of River Isles)
 Mrs Leslie Roush - 404 21st Place, Bradenton Beach
 Carl S. Pomelee - 2807 Trinidad Way, Palmetto
 Ruth Neilsen - 1205 31st Avenue West, Palmetto (President - Tropic
 Isles Property Owners Assn)
 Russell Fernald - 5920 Gulf of Mexico Dr, Longboat Key, and also
 read a telegram from Homer Greer, 350 North Shore
 Road, Longboat Key, favoring the referendum
 Wynne Foley - 6316 Georgia Avenue, Bradenton
 Mildred Humphrey - 4040 Ironwood, 702F, Bradenton
 Marjorie Scheffer - 1137 Palma Sola Blvd, Bradenton (President -
 Palma Sola Park Assn)
 Tom Seavey - 2018 Canal Drive, Bradenton
 Leonard A. Verrilli - 2027 Sunset Dr, Bradenton
 Avery Gould - 9907 Spoonbill Road, Bradenton
 Jefferson Asbury - 3017 Avenue E, Holmes Beach
 Edgar Synnes - 10216 Sandpiper Road East, Bradenton (President -
 Flamingo Cay Assn of Homeowners)
 Mayor James Zerby - City of Holmes Beach
 Dick Blankenship - 1102 Palma Sola Blvd, Bradenton
 Jane Moss Snow - 1200 deNarvarez, Bradenton
 Norman C. Rose - 2903 3 rd Avenue West, Bradenton
 Phyllis Hartman - 105 North 22nd Street Court East, Bradenton
 Everett A. Hartman - 105 North 22nd Street Court East, Bradenton
 Marjorie Sokol - 6951 Gulf of Mexico Dr, Longboat Key
 Wendy Cline - 1197 Francis Avenue, Sarasota (representing Manatee
 Junior College Student Group - Ecology Unlimited)
 William Linstead - 806 49th Avenue West, Bradenton
 Lloyd Greene - 210 Whitfield Avenue, Bradenton
 Louise S. Linstead - 806 49th Avenue West, Bradenton
 Mrs Joseph Coleman - 1200 deNarvarez, Bradenton
 Thomas Michaelson - 1804 6th Avenue West, Bradenton
 Charlotte M. Greene - 210 Whitfield Avenue, Bradenton
 Daniel B. Murphy - Rt 2, Box 336, Bradenton (representing Manatee
 Jr College Student Group - Ecology Unlimited)
 Mrs John K. McDonald - 310 Riverside Drive East, Bradenton
 Robert L. Specker - Bradenton Beach City Council, read a resolution
 adopted by that Council supporting Ordinance No. 76-7.

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Sally Remaley - 5112 20th Street West, Bradenton
Mary Blackburn - 608 20th Avenue West, Palmetto
Arthur Dana - 5300 Gulf Drive, Holmes Beach
Victor Massa - 1002 Pussywillow Land, Bradenton
Carl R. Keeler - 3517 5th Street East, Bradenton, and read a letter
from Thelma M. Perez, 3515 5th St East, Bradenton, supporting
the referendum
Walt Zimmerman - 2501 34th Street West, Bradenton
Al Leach - 117 18th Street N.W., Bradenton
John Rains, Jr - 5314 Bay State Road, Palmetto (President - Manatee
County Chapter of Fla Division of Isaac Walton League of
America)
Selman Ledbetter - 8447 Penna Way, Bradenton
Katherine Fernald - 5920 Gulf of Mexico Dr, Longboat Key
Mrs Charles H. Ellison - 3216 Florida Blvd, Bradenton

The following spoke in opposition to the Ordinance:

Richard Jordan - 1309 72nd Street West, Bradenton (representing
Manatee Board of Realtors)
William J. Addison - 114 Lakeview Dr, Palmetto
Tom Reys - 7003 11th Avenue N.W., Bradenton
John Harllee - 1205 Manatee Avenue West, Bradenton (Attorney rep-
resenting Beker Phosphate Corporation)
Dewey Dye, Jr - 1303 51st Street West, Bradenton (Attorney repres-
enting W.R. Grace Co.)
Gordon Sullivan - 5607 Gulf Drive, Holmes Beach
Larry G. Whitted - River Road, Myakka City
John J. Beck - 1531 15th Avenue Drive West, Bradenton
Thomas Thibeault - 3729 Rilma Avenue, Sarasota
David Sterrett - 408 Spadaro Drive, Venice
J.R. DuKenan - 9079 South Trail, Venice
John O' Riordon - 2806 11th Avenue East, Bradenton

In closing, Don Haddock and C.B. House, the petitioners, thanked the Board for holding the public hearing, and reiterated their request for favorable consideration of the Ordinance by the Board.

There being no one else present wishing to speak on the subject, the Chairman declared the public hearing closed at 10:35 p.m.

Attest: M.T. McInnis, Clerk

APPROVED:



(Deputy Clerk)



(Chairman)