

SEPTEMBER 6, 1977

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION, in the Courthouse, Bradenton, Florida, on Tuesday, September 6, 1977, at 9:03 a.m.

Present were Commissioners
 Louis E. Driggers, Chairman
 L. H. Fortson, Jr.
 Kenneth D. Dierks
 Lamar S. Parrish

Also present were
 John D. Sands, Deputy Clerk
 E. N. Fay, Jr., County Attorney

Commissioner Dan P. McClure was absent.

The meeting was called to order by the Chairman.

Invocation was given by Reverend Rufus Hawkins, Suncoast Christian Church.

RIVERDALE SUBDIVISION

SEWER SYSTEM: PART F, DEFERRED AREA, EXTENSION 1

The Chairman declared public hearing open to hear objections of all interested persons to the confirmation of Resolution Ordering Construction of Sanitary Sewer Facility designated as Part F, Deferred Area, Extension 1, Project No. 6681-6 RIVERDALE SUBDIVISION.

Chris Angelidis, Director, and D. E. Pittman, Engineering Division, Manatee County Utilities System, were present to discuss the proposed project. Mr. Angelidis advised that MCUS had complied with the Board's instructions to make a preliminary survey, draw plans and certify and follow the procedure necessary for running sewer lines in the Subdivision; that the drawings have been properly advertised and displayed calling for lines to be laid on Pompano Drive, part of Manta Ray Drive and Bluefish Drive. He explained that the preliminary estimate of cost of running these particular lines (designed to be a complete system when the whole area would be sewerred, with lift station large enough to handle) \$111,000 - to serve 64 lots, only 26 homes, 9 of these presently on the old existing system. He said they had determined that it was not economically feasible to go into the sewer project at this time and recommended that the Health Department, and other appropriate authorities, be directed to force abandonment of the existing treatment plant and direct the 9 users to go to alternate method of septic tank system until such time as development in that area warrants the expenditure of this amount of money.

Among those appearing and objecting to the project:
Peter Krakow, owner of Lot 231 - presented petition with signatures of 16 property owners and letter from D.E. Altman.

Among those appearing in favor of the project:
Dave Steltzer - presented petition in favor of project.
Harry Wingate
Dr. Reis
Patricia Gillenwater
Carl Lasider

The Chairman declared the public hearing closed, and asked for a show of hands on the project. Ten people were in favor; twelve were opposed.

The Chairman stated that if there were no objections, action on this matter would be deferred and, since it is in his district, he would like to take the responsibility of coming up with a solution to the problem and would report back to the Board at a future date. There were no objections.

GRANTS DEVELOPMENT

Regis Chapman, Director of the Grants Development Department, requested approval of three Title 1 On-the-Job Training Contracts:

- 1) (a) (b) No. R-90 and No. 91 with D'Agostino Brothers Nursery to train a Wholesale Nursery Supervisor, September 1, 1977 - April 12, 1978: amount \$1,414.40 each contract.
- (c) No. R-92 with Electronic Service Clinic, Inc. to train a Radio Communication Mechanician, September 2, 1977 - July 6, 1978: amount \$2,441.47.

Motion was made by Mr. Fortson to approve the three On-the-Job Training Contracts as requested. Motion was seconded by Mr. Parrish and carried unanimously.

CONTRACTS RECORDED

S-5-

Mr. Chapman requested that the Board authorize the Chairman to execute a certificate of Project Endorsement for the Manatee County School Board Local Public Works project (#L-FL-5048-0) for the construction of three (3) portable classrooms.

Motion was made by Mr. Parrish to execute the certificate of project endorsement. Motion was seconded by Mr. Dierks and carried unanimously.

U.S.301 - ONECO ROAD

At the request of the County Engineer, action was deferred on resolution to the Department of Transportation concerning continuing preliminary engineering on Oneco Road and acquisition of right of way at the northeast corner of U.S. 301 and 53rd.

MOWING CEMETERIES

Mr. Ugarte requested that the Highway Department be authorized to purchase a new mower to mow cemeteries in Ellenton and Parrish and other areas.

Motion was made by Mr. Dierks to advertise for a contract to mow County maintained cemeteries. Motion was seconded by Mr. Fortson with request that the Highway Department furnish cost estimates on use of County personnel and equipment. Motion was carried unanimously. The Chairman stated that the question of purchasing a mower would be held in abeyance until such time as cost estimates are furnished.

PURCHASING DEPARTMENT

Bill Mullon, Purchasing Director, submitted recommendations as outlined in his letter of September 2, 1977:

1. Library - Air Conditioning system - Award bid to Air-Rite, Inc., deferred at his request.
2. Bridge Inspections - Consultant - Award contract to Kissinger-Campo. Mr. Mullon reported that the committee had negotiated with Kissinger-Campo on proposal as engineering firm for bridge inspections (1) Report by 1 November 1977, \$33,000, (2) Report by 1 October 1977, by using overtime and working six 10-hour days as opposed to five 8-hour days for \$38,000.

The Chairman recommended compliance with the deadline of October 1, 1977 for inspections and report.

Jack Campo was present to discuss the contract, concurring with the Chairman regarding complying with the October 1st deadline. He pointed out the possibility of Public Works funds being available for replacement of bridges.

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Motion was made by Mr. Fortson to award contract to Kissinger-Campo in the amount of \$38,000 for bridge inspections and report to be completed by October 1, 1977 deadline, with suggestion that the County Attorney word the contract to reflect the provision that if it is not submitted in time to be transmitted to the Department of Transportation by October 1st, there will be no premium; any amount over \$33,000 will be waived by consultant. Motion was seconded by Mr. Parrish. Voting "Aye," Mr. Fortson, Mr. Parrish and Chairman Driggers. Mr. Dierks voted "No." Motion carried.

\ CONTRACT RECORDED

S-2-252

3. Highway Project No. 760 - Construction 21st Avenue Bid No. 77-109. Authorize chairman execute contract subject to insurance certification, and accept performance bond.

Motion was made by Mr. Dierks that the Chairman be authorized to execute contract with Wendell-Kent for construction of Project No. 760 (\$50,585.65) subject to insurance certification and review and approval by the County Attorney of the performance bond, with Fidelity and Deposit Company of Maryland, as surety. Motion was seconded by Mr. Fortson and carried unanimously.

\ CONTRACT RECORDED

S-2-254

COUNTY OFFICES - LEASES PERRINE PLAZA
PRO-RATA UTILITIES BILLS

Charlie Moran, leasing space to six County offices in Perrine Plaza Building, had requested that County pay \$220.61 for electricity and water bills, advised there is an additional bill for \$294.35 making a total amount of \$514.96. He requested the Board pay this total for utilities.

Upon being advised that the County Attorney is presently drafting a document to provide for additional rent, etc. for the remainder of the leases, action was deferred for one week.

ANIMAL CONTROL

Eugene Wiseman made a presentation on a new or revised ordinance that is needed for Animal Control, upgrading present facility or construct a new additional facility. He gave an estimated cost of \$60,000. He requested the Board give consideration to this matter.

RECESS/RECONVENE

Following a brief recess, the meeting reconvened with all Board Members present, except Mr. McClure.

ZONING

Charles Carrington, Planning and Development Director, submitted recommendations of the Planning Commission:

SE-1047 JAMES O. & JUELL MIZELL - APPROVED

(James & Charlene Light, Agents)

Request: Special Exception to permit child care day nursery on N.W. Corner of Arcadia Road & Lebanon Road north of General Telephone substation.

Area: 0.51 acre Zoned: -A-

The Planning Commission recommended approval.

R-847 JAMES O. & JUELL MIZELL - APPROVED

Request: To change the present zoning from -A- to R1A district or to such other district as determined to be more appropriate.

Proposed Use: Single Family Dwelling

Location: N.W. corner of Arcadia Road & Lebanon Road north of General Telephone substation.

Area: 0.51 acre

Planning Commission recommended Approval, with stipulations. (outlined in previous meeting)

Motion was made by Mr. Fortson to approve R-847 as recommended by the Planning Commission and adopt the appropriate resolution. Motion was seconded by Mr. Parrish and carried unanimously.

Motion was made by Mr. Fortson to approve SE-1047 and adopt the appropriate resolution. Motion was seconded by Mr. Parrish and carried unanimously.

R-833 THOMAS HOWZE - DEFERRED

Request: To change the present zoning from R-3 district to -C- or to such other district determined more appropriate.

Proposed Use: As permitted in -C- district

Location: 5409 26th Street West, Bradenton

Area: 3.04 acres.

Planning Commission recommended Denial.

Mr. Carrington read letters from the Health Department stating no objection and from the Highway Department stating general conditions.

The petitioner agreed to minimize the traffic congestion on 26th Street West by:

1. Providing single access to 26th Street West; deed 50 feet of right of way for a public street through the middle of the property.
2. Limit access of either half of the rezoning parcel to the public street through the middle of the property.
3. Provide additional right of way and construct the necessary auxillary lanes on 26th Street West.

Mr. Howze explained that proposed development includes neighborhood commercial type stores that would benefit the surrounding neighborhood such as bakery, delicatessen, hardware, etc., which would be a buffer between the apartments and 26th Street.

After lengthy discussion, Mr. Driggers requested this item be deferred one week to allow Commissioners to view site.

R-838 GLEN COVE HEIGHTS - APPROVED

(Planning Commission Initiated)

Request: To change the present zoning from -A- to R-LAB or to such other district as determined to be more appropriate.

Proposed Use: Single Family Residential

Location: N/S 4600 & 4700 Block SR 70

Area: 11.46 acres.

The Planning Commission recommended approval.

Mr. Carrington said letters from the Highway and Health Departments offered no objections; however, there were objections at the public hearing and a letter with thirty signatures of persons opposing the rezone was on file. He explained that the initial request was from Mrs. Townsley, who owns four contiguous lots on which she can build only one house under the present zoning, and she requested rezoning her property so it could be subdivided for a yield of four lots instead of one. The Planning Commission had initiated rezone of the entire parcel.

Mr. Driggers recommended rezoning only the portion owned by Mrs. Townsley, consisting of four lots on 46th Street Court East.

Motion was made by Mr. Fortson to approve rezoning the four lots, owned by Mrs. Townsley, on 46th Street Court East, to R-LAB. Motion was seconded by Mr. Parrish and carried unanimously.

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R-842 HELEN ALTDOERFFER - APPROVED

Request: To change the present zoning from R-1A district to PR district or to such other district as determined more appropriate.

Proposed Use: Dental Laboratory

Location: 5716 21st Avenue West, Bradenton

Planning Commission recommended approval.

Motion was made by Mr. Fortson to approve R-842 and adopt the appropriate resolution. Motion was seconded by Mr. Dierks and carried unanimously.

R-844 CENTRAL GARDENS - DEFERRED

Request: To change the present zoning from R-1AA district to R-LAB district or to such other district as determined to be more appropriate.

Proposed Use: Single Family Residential

Location: Bordered on the north by 51st Avenue East, on the south by SR 70 and on the east by 33rd Street East.

Planning Commission recommended approval.

Mr. Carrington stated that there was a petition on file with 40 signatures in favor; also a petition with 16 signatures opposing the change of zoning. A letter from Mr. and Mrs. Foster stated the one family houses were allowed to deteriorate while the duplex were well kept, etc.

Among those present and speaking in opposition of R-844 were Joyce and Miles Stoller; Mr. Driggers read a letter from Robert E. Keane in favor.

This item was deferred one week for Board to view the site.

R-845 JAMES L. ROMAN ET UX - DEFERRED

Request: To change the present zoning from -A- to R-1A district or to such other district as determined to be more appropriate.

Proposed Use: Single Family Dwelling

Location: Located approximately 1 mile north of Ellenton on the east side of SR 683 (Ellenton Gillette Road).

Area: 1.45 acre.

Planning Commission recommended approval.

Mr. Parrish requested deferring this item for one week. There were no objections.

R-846 GEORGE P. HELMER, ET AL - APPROVED

(Ralph Nelson & Dan Zoller, Agents)

Request: To change the present zoning from -A- to T-3 district or to such other district as determined to be more appropriate, and plan review.

Location: NW of old U.S. 41 (Bayshore Road) and south of Frog Creek.

Area: 36.7 ± acres.

Planning Commission recommended approval.

Ralph Nelson made a presentation on plans for the travel trailer park which will be a three or four phase development.

Motion was made by Mr. Fortson to approve R-846. Motion was seconded by Mr. Parrish and carried unanimously.

R-832 BESSIE MAY STONE - DENIED

(Earl Snyder II, Agent) Request: To change present zoning from -A- to M-2 or to such other district as determined to be more appropriate.

Proposed Use: Manufacture of Septic Tanks

Location: 3207 63rd Avenue East, (Saunders Road)

Area: 1.24 acres.

Planning Commission recommended Denial.

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Motion was made by Mr. Dierks to deny R-832. Motion was seconded by Mr. Parrish and carried unanimously.

Mr. Carrington presented Resolutions for adoption on Rezone Items approved in previous meetings:

R-831 PALM VIEW PARK - APPROVED

Rezone from C-1 (Commercial) and R-1AA (Two Family) District to R-1AB (One Family) District: Approved 7/19/77.

RESOLUTION RECORDED

R-834 DEAN R. LAUKHUF - APPROVED

Rezone from R-1A (One Family) District to PR (Professional) District: Approved 8/2/77.

RESOLUTION RECORDED

R-837 FLAMINGO CAY

Rezone from C-1 (Commercial) District to R-3 (Multi-Family) District: Approved 8/2/77.

RESOLUTION RECORDED

Motion was made by Mr. Fortson to adopt the appropriate resolutions for R-831, R-834, and R-837. Motion was seconded by Mr. Parrish and carried unanimously.

PARKS & RECREATION DEPARTMENT

The County Attorney submitted a Special Service Contract for Mary J. Houck to work as a food server for the Parks and Recreation Department and recommended that the contract not exceed 30 days.

Motion was made by Mr. Dierks to approve the Special Service Contract, not to exceed thirty (30) days. Motion was seconded by Mr. Parrish and carried unanimously.

CONTRACT RECORDED

S-2-254

BILLS FOR PAYMENT

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

A. G. Holley State Hospital	\$	51.25
Jack H. Robbins, M.D.		10.00
Richard V. Meany, M.D.		10.00
Drs. Lehman, Foley & Schermer (Med Exam)		2,266.21

BONDS

Upon motion by Mr. Dierks, seconded by Mr. Fortson, bonds and bond releases/refunds were approved as follows:

Moving & Alteration of Building Bond - Approved

R.E. JOHNSON & SON \$1,500 Safeco Insurance
For: Art Johnson - Pre-Moving #11951

Driveway Permit No. 2405 - Refund

To: James Wade \$200.00

Moving and Alteration of Buildings - Release

1) James Gullett	Building Permit	#10873
2) Nettie Colling	"	#10798
3) Redi Freeman	"	# 9714
4) Roy Wingate	"	# 8763
5) William L. Smith	"	#10799
6) Carl Jefferies	"	# 9478
7) Ronald Durrance	"	# 7980
8) Charlie Reeves	"	# 7717
9) Jimmy Rogers	"	# 8294
10) Jack Eubank	"	#10121

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HEALTH DEPARTMENT - CERTIFICATE OF COMPLETION

Mr. Sands requested execution of Certificate of Substantial completion for the Health Department, and was approved by Douglas Croll and Bill Halfacre.

Motion was made by Mr. Fortson that the Chairman be authorized to sign the Certificate of Substantial Completion for the Health Department. (Contractor, Bill Halfacre, Inc.) Motion was seconded by Mr. Parrish and carried unanimously.

WARRANT LISTS

Motion was made by Mr. Dierks to approve Warrant Lists from August 30, 1977 to September 6, 1977, and authorize Warrant List to September 13, 1977, 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. Motion was seconded by Mr. Parrish and carried unanimously.

MINUTES - APPROVAL

Upon motion by Mr. Dierks, seconded by Mr. Fortson, minutes of previous meetings were unanimously approved as follows:

REGULAR: June 21, 1977
SPECIAL: June 23, 1977
REGULAR: June 28, 1977
SPECIAL: June 30, 1977

REIMBURSEMENT - DANIEL MAY

Mr. Sands submitted request of Daniel May for reimbursement in the amount of \$92.81 for replacement of his tire that was damaged while at the Highway Department. Mr. May's insurance company could not cover the damage done while on County business.

Motion was made by Mr. Dierks that Mr. May's request be denied. Motion was seconded by Mr. Parrish and carried unanimously.

PUMPING STATION #13A - MCUS

Mr. Driggers read a letter from Mr. Carrington requesting that the County Commission waive all permit fees, normally required, for the construction of the MCUS Pumping Station 13-A on 63rd Avenue, East of Highway 301.

Motion was made by Mr. Dierks to waive permit fees for MCUS Pumping Station 13-A. Motion was seconded by Mr. Fortson and carried unanimously.

BRADENTON BEACH FISHING PIER

Mr. Driggers read a letter from the Highway Department requesting approval of Change Order No. 1 pertaining to the Bradenton Beach Fishing Pier for the Highway Department Project No. 880. Mr. Driggers deferred this item for the County Attorney's review.

BILL - LOCAL GOVERNMENT STUDY COMMITTEE

Mr. Driggers requested an opinion on the Local Government Study Committee's bills and whether they have run out of time; if so, is the County obligated to continue to pay for their bills.

This item was deferred for the County Attorney's review.

HEALTH DEPARTMENT - WIND DAMAGE

Motion was made by Mr. Fortson to authorize the Chairman to sign adjustment release on insurance for the wind damage at the Health Department in the amount of \$1,650. Motion was seconded by Mr. Dierks and carried unanimously.

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PERSONNEL: MANNING LEVELS AMENDED

Upon motion by Mr. Fortson, seconded by Mr. Parrish, Resolution was unanimously adopted amending Authorized Manning Levels by Classifications for Departments under the direct supervision of the Board of Commissioners as follows:

<u>Highway/Engineering</u>	<u>Classification</u>		<u>Department</u>	
	<u>From</u>	<u>To</u>	<u>From</u>	<u>To</u>
Engineer II	2	3		
Engineer I	2	1	177	177

RESOLUTION RECORDED ^{p 41} S-6-

PERSONNEL: CONSOLIDATION SHEETS

Westwood Fletcher submitted and requested approval of previously coordinated personnel consolidation sheets and authorization for the Chairman to execute documents.

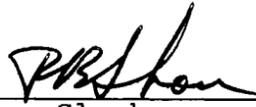
Motion was made by Mr. Fortson to approve Consolidation Sheets and authorize the Chairman to sign as recommended by the Personnel Director. Motion was seconded by Mr. Parrish and carried unanimously.

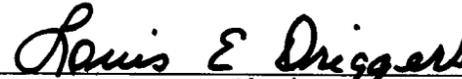
MEETING ADJOURNED

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

Attest:

APPROVED:
10-25-77


Clerk


Chairman