

MAY 1, 1980

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Courthouse, Bradenton, Florida, Thursday, May 1, 1980 at 9:00 a.m.

Present were Commissioners:

Patricia M. Glass, Chairman
Lamar S. Parrish, Vice-Chairman
Claude E. McGavic
L. H. Fortson, Jr.
Louis E. Driggers

Also present were:

E. N. Fay, Jr., County Attorney
David B. Collier, County Administrator
Peter Ramsden, Finance Director, representing R. B. Shore,
Clerk of Circuit Court

Representing the various news media were Betty Kohlman, St. Petersburg Times; Libbey Allison, The Bradenton Herald; Mark Todd, Sarasota Herald-Tribune, and others who entered during the meeting.

The meeting was called to order by Chairman Glass.

REFUGEES

Mr. Driggers relayed an invitation by the National Association of Counties (NACo) to send a representative to the NACo headquarters in Washington on May 2, 1980, to discuss the Indochina and Cuban refugee problems and to share concern directly with representatives of the White House, Health, Education and Welfare (HEW) and State Department to guide NACo policy for future immediate legislative activity.

There were no objections to discussing this item later in the meeting.

PROCLAMATION: BETTER WATER FOR PEOPLE WEEK

Upon motion by Mr. Parrish, seconded by Mr. Driggers, a Proclamation was unanimously adopted proclaiming May 4 - 10, 1980, as "Better Water For People Week" in the County of Manatee.

RECORD PROCLAMATION S9-179

MANATEE COUNTY 1979 ANNUAL REPORT

The County Administrator submitted the Manatee County Annual Report for Fiscal Year 1979 as required under Section 3 of Ordinance 78-2 and by Resolution adopted by the Board on July 6, 1978.

Motion was made by Mr. Fortson to accept the report. Motion was seconded by Mr. McGavic and carried unanimously.

MANATEE OPPORTUNITY COUNCIL

Upon recommendation by the County Administrator, motion was made by Mr. Fortson, and seconded by Mr. Driggers, to appoint Ms. Kathy Snell to serve on the Board of Directors of the Manatee Opportunity Council. Motion carried unanimously.

MARKER 50 RESIDENTIAL PROJECT

Harry S. Ely, Jr., Director of Highway and Engineering Department, advised that the proposed Marker 50 Condominium Residential Project (123 units) is presently awaiting approval of a building permit based on concerns expressed by the Highway Department relating to the unsafe condition of the intersection of 127th St. W. and Cortez Road with the additional useage imposed by the development and to the only legal public access at 127th St. W.

He further advised that the developer is desirous of proceeding as rapidly as possible with approval of the referenced permit due to involved obligations and is requesting that conditions be placed on the issuance of the building permit in order that he may begin construction. The developer has agreed to substantial participation to aid in reducing the intersection and access problems.

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Following discussion, Mr. Ely was instructed to meet with the developer to work out agreeable conditions to be placed on the building permit and submit to the Board for review on Tuesday, May 6, 1980.

DISABLED AMERICAN VETERANS

In connection with an application for a building permit to remodel the Disabled American Veterans (DAV) office at 111 63rd Avenue East, the DAV requested the building permit be issued with a waiver of off-street landscaping improvements for six months due to financial reasons.

Bruce Siciliano, Planning Department, advised that the Planning Department has no objections to the request.

Motion was made by Mr. Fortson to waive the landscaping requirements for a period of six months and instruct the Staff to issue a permit. Motion was seconded by Mr. Driggers and carried unanimously.

LAWSUIT: EDWARD J. ALIZIERI

In connection with lawsuit

Edward J. Alizieri and Sharon D. Alizieri, husband and wife, Plaintiffs, vs. Manatee County, Florida, for and on behalf of the Manatee County Utilities System, Defendant, Case No. CA-79-1031 in the Circuit Court of Manatee County, Florida

seeking an order from the court requiring the County to exercise its power of eminent domain and to grant compensation to Mr. Alizieri for alleged taking of his property for public purpose, the County Attorney recommended the Board authorize the office of Mann and Fay to retain a real property appraiser to appraise the lot involved in the above-identified suit, to act as an expert witness through depositions, pre-trial hearings and any trial that may occur from this matter, and to render other assistance to counsel as may be deemed necessary for a proper defense of this matter.

Motion was made by Mr. Driggers to authorize the County Attorney to proceed with obtaining the necessary appraiser. Motion was seconded by Mr. Parrish and carried unanimously.

ZONING

Charles Carrington, Planning Director, and Bruce Siciliano, Planner, submitted recommendations from the Planning Commission.

SE-80-13 RICHARD E. ELZERMAN - PLANT NURSERY - DENIED
(Deferred from May 24, 1980)

Mr. Carrington referred to a petition with 47 signatures in opposition that was submitted at the Planning Commission hearing.

William Dooley, Attorney representing the Petitioner, requested the Board consider the legal criteria of the special exception and advised that the proposed use of the land would be compatible with the surrounding area, as there are two nurseries already in existence in the area. He addressed the primary objections of the road and the water usage by local residents explaining that the proposed wholesale plant nursery would be more compatible than the present zoning which would allow a subdivision with 40 or 50 homes.

Hugh Burke, 510 Bayshore, Terra Ceia, spoke in opposition to the special exception.

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In view of the wide range of opposition throughout the community as a measure of the incompatibility of the project, Mr. McGavic moved to deny SE-80-13. Motion was seconded by Mr. Parrish and carried unanimously.

80-S-6(P) LONG CREEK SUBDIVISION - DENIED
(Deferred from March 27, 1980)

Bruce Siciliano, Planning Department summarized the impact analysis of the Long Creek Subdivision on existing public services and facilities by the following designated agencies:

- A. SCHOOLS: School Administrator of Manatee County
- B. POLICE: Sheriff's Department of Manatee County
- C. EMERGENCY MEDICAL SERVICES: E. M. S.
- D. FIRE: Myakka City Fire Department;
Florida Forestry Service
- E. ROADS: Manatee County Department of Highway and
Engineering
- F. UTILITIES: Manatee County Utilities Services;
Pollution Control
Environmental Services
- G. ENVIRONMENT: Planning and Development Department;
Pollution Control
- H. COMPATIBILITY TO THE PROPOSED MANATEE PLAN:
Planning and Development

Additionally, the developer has indicated in meetings with the staff that a like project may be forthcoming if Long Creek is successful. A Federal EDA Grant application indicates that the project will accommodate 120 families in a six year phased program.

Dewey Dye, Jr., Agent, spoke concerning comments from other agencies particularly:

- 1) School System - The Small Farm Development agrees to arrange for the transporting of school children to the bus route along the Myakka-Wauchula Road at the Development's expense and secondly, to assist in the search for funding for purchase of additional portable classroom facilities for demands generated by the Development.
- 2) Emergency Medical Services - If the ambulance service is not adequate for the proposed project because of distance, then the service may not be adequate for residents of Myakka City.

He advised that plat approval is basically an administrative function by the Board but due to the fact that concerns have been raised by the citizens in the community as well as the Commissioners, his client is prepared to answer any questions regarding the project, recognizing that many of the inquiries do not relate to the subdivision plat itself.

Mike Darnell, President of Small Farm Development Corporation (SFDC) explained that the homes (or mobilehomes) initially will be built in the name of the Cooperative which would be established by the residents on site and titles transferred to the residents at the end of the two year period.

He pointed out that the plan provides that each family would be utilizing 27 acres for production and that from an agricultural perspective and, after thorough analysis, there is a clear understanding and belief that this project will work.

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RECESS/RECONVENE

After a brief recess, the Board reconvened with all members present.

Rev. A. K. McKnight, Chairperson of the Small Farm Development Corporation and President of the Southern Cooperative Development Fund, spoke in favor of the subdivision plat and explained the concept of the proposed project.

William Urban, Chief of the Myakka Fire Rescue, explained that they are at a capacity to service large amounts of homes at this time and that if there is an irrigation system at the property, fire hydrants should be required.

Hugh McGuire, Attorney representing Myakka Civic Association, spoke in opposition to the petition and requested the Board deny the request based on the zoning law and the overall requirements of OPUG (Optimum Urban Population and Growth).

Individuals speaking in opposition of the proposed subdivision were Neil McClure, Myakka City, Scott Chestnut, Myakka City, Billy Tucker, President of the Myakka Civic Association, Clayton Sutton, Myakka City, Kathy Bailey, Myakka City, George Hooper, Marti Goodson, State Director of Happiness of Womanhood, and Charlotte Tucker.

Joyce Hall, Myakka City, spoke concerning inadequate police protection in Myakka.

Individuals speaking in favor of the proposed subdivision were Constine Baskin, Jr., Albert Graham, representing NAACP, Clarence Thomas, Jr., Lawrence Chestnut, representing the Florida Black Student Union Organization, Rev. C. L. Sims, representing the Cooperative, and Anita Fleunoy, Manatee County Community Development Corporation, submitted a petition (with several hundred signatures) in favor of the proposed subdivision and spoke in favor of the proposed subdivision.

RECESS/RECONVENE

The Chairman declared the meeting recessed until 1:30 p.m.

The meeting reconvened at 1:28 p.m. with all members present.

LONG CREEK SUBDIVISION

Rev. Knight, and Rev. C. L. Sims reiterated their request to approve this subdivision. Other individuals speaking in favor were Ray Schenk, John Harling, Jr., Secretary of Small Farmers Cooperative,

Individuals speaking in opposition were Keith Ludwig, Myakka City, Bill Urban, Myakka City, J. L. Harrison, Jr., President of the Manatee County Citizens Council. Nancy Spaniel, spoke in opposition and submitted a petition in opposition from residents in the Myakka City area.

Mrs. Glass read a letter from Sheriff Tom Burton dated April 29, 1980, in which he outlined effects on that department when there is significant increase in population in previously unpopulated or sparsely populated areas of the County, such as increase in calls for service and reduction in response time if there is not additional personnel to handle the calls and deputies to respond to them.

Dewey Dye submitted for the record:

- 1) Letter from Small Farm Development Corporation dated April 30, 1980
- 2) Copy of letter from Clearinghouse Review dated April 21, 1980
- 3) Copy of letter of transmittal from Southwest Florida Water Management District sending the irrigation permit No. 205499 dated November 16, 1979

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- 4) Copy of Interagency Agreement between the Farmers Home Administration, the Economic Development Administration of the Department of Commerce, the Department of Labor, and the Community Services Administration for the purpose of coordinating federal participation in the Family Farm Cooperative Program, dated August 3, 1979
- 5) Copy of letter from the Secretary, Department of Agriculture dated April 21, 1980 reconfirming the support of the Family Farm Cooperative Project
- 6) Certificate of Good Standing of the Corporation from State of Delaware dated April 25, 1980
- 7) Affidavite of record ownership of the property attested on April 29, 1980
- 8) Copy of Chapter 618 of Florida Statutes relating to the operations of Agricultural Cooperatives
- 9) Copy of part of Chapter 196 of Florida Statutes and 12D-7 concerning exemptions (Re: regarding taxes being paid)
- 10) Copy of Southern Cooperative Development Fund, Inc. Annual Report, 1979

Motion was made by Mr. Fortson to accept the documents. Motion was seconded by Mr. McGavic and carried unanimously.

Upon question, Mr. Darnell briefly explained the eligibility requirements for a person wishing to occupy one of the parcels.

Motion was made by Mr. Driggers to deny 80-S-6 (P) preliminary plan of Long Creek Subdivison. Motion was seconded by Mr. Parrish and carried unanimously.

REFUGEES IN FLORIDA

Board members offered no objections to Mr. Driggers contacting Governor Graham and the State Association of County Commissioners to express concern of this Board regarding the possible increase of refugees from Cuba and Indochina to the County and requesting that local governments be promptly advised when new information is available.

CLERK'S CONSENT CALENDAR

Upon motion by Mr. Parrish, seconded by Mr. Fortson, the Clerk's Consent Calendar dated May 1, 1980 was unanimously approved as follows:

BILLS FOR PAYMENT:

Mulock and Farrance, P.A. (Pollution Control)	\$211.00
Jack Zickafoose Financial Services	210.00

MEETING ADJOURNED

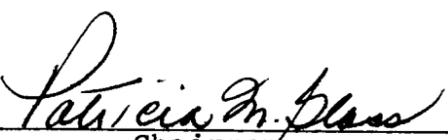
There being no further business, the meeting was declared adjourned.

Attest:



Clerk

APPROVED:



Chairman

Adj: 2:37 p.m.