

The January meeting of the Commissioners, of the WEST COAST INLAND NAVIGATION DISTRICT, was held January 12, 1970, in the Commissioners Meeting Room, Manatee County Court House, Bradenton, Florida.

Present: Ellsworth G. Simmons, Chairman, Hillsborough County
 Kenneth W. Daniels, Secretary, Lee County
 Dan P. McClure, Treasurer, Manatee County
 Larry Rhodes, Sarasota County
 Haywood W. Conover, Charlotte County

Charles E. Furbee, Executive Director
 Dewey A. Dye, Jr., Counsel

Absent: A. L. Anderson, Vice Chairman, Pinellas County

The meeting convened at 10:35 a.m.

Minutes of the December 9 meeting were approved as presented.

The Chairman welcomed Commissioner Haywood W. Conover, Charlotte County, as Charlotte County's new representative to the WCIND Board. Mr. Dewey A. Dye, Jr., administered the oath to Commissioner Conover.

The Director presided during the election of a chairman for the year 1970. Upon motion duly made by Commissioner Daniels, the Board unanimously re-elected Commissioner Simmons as chairman. It was noted that Commissioner Simmons has served the District as its board chairman since January 12, 1955. Commissioner Simmons thanked the board members, expressed his pride in the Board's accomplishments and the manner in which the Board has conducted its affairs. Commissioner Simmons resumed the chair.

Upon motion duly made by Commr. McClure and carried, the Board unanimously elected Commr. Daniels as Vice Chairman. Upon motion duly made by Commr. Daniels and carried, the Board unanimously re-elected Commr. McClure as Treasurer. Upon motion duly made by Commr. McClure and carried, the Board unanimously elected Commr. Rhodes as Secretary.

Upon motion duly made by Commr. Daniels and carried, the Board unanimously approved the continuing employment of the present staff to serve at the pleasure of the Board.

-2-

The Treasurer's Report was read and approved. The Director stated that the report of December 31, 1969 reflected the latest transfer of funds, in certificates of deposit to receive 6½ per cent interest rate. Vouchers #6140 through #6179 were approved for payment.

ACTIVITIES REPORT

Charlotte County

Litigation - The Director reported on the hearing on January 8 in Punta Gorda of L. M. Danklefs' motion for new trial re S/A C-21. The court denied the motion and upheld the favorable verdict for WCIND.

Sarasota County

MSA S3-4 Status - The Director received a letter from Mr. F. W. Hunt, P.E., Sarasota County Engineer, expressing the County's interest in this spoil material. Commr. Rhodes advised that he knew of the County's interest. The chairman stated that the Board would offer cooperation to Sarasota County in the very best way for Sarasota County to have priority to obtain the material but not free of cost.

Right-of-Way Widener at Alligator Creek - Commr. Rhodes advised the Board that he will present his report at the February meeting.

Fisherman's Wharf Restaurant (Ben Dunn, owner) - The Director reported the results of a survey by Mr. Archie B. Brown clearly confirms the encroachment on WCIND property. It is planned to construct a fence on the WCIND property line. Mr. Dye confirmed that WCIND has a fee simple deed to this property. The chairman suggested that before constructing a fence, the owner be informed by registered mail, receipt requested, with a copy to owner's attorney, informing them of WCIND intentions. Commr. McClure suggested that the letter state the owner is encroaching on WCIND property and, if owner is not receptive to leasing the property, then WCIND will take legal steps.

Motion was duly made and carried that Mr. Dye inform the owner of Fisherman's Wharf Restaurant by registered mail, receipt requested, with a copy to owner's attorney - same mailing, that it is necessary to negotiate some understanding on this property encroachment and, if owner is not receptive to leasing the

-3-

property, WCIND will have to take steps to prohibit its use by others.

A report on resolving this property encroachment is to be presented at the February meeting.

S3-3 Contract - The Bob Rigby contract expired on December 11, 1969. It was not to be renewed until the complaint is resolved concerning the haul-road condition. Commr. Rhodes reported he is confident that the road condition can be corrected, between Mr. Rigby and the South Venice Civic Ass'n Road District, since there is to be an extension west of Shamrock Drive which is the current designated haul-road. He recommended that the Bob Rigby contract be renewed. Motion was duly made and carried that the Bob Rigby contract be renewed as of December 12, 1969 under the previous terms: \$100 per month for 12,000 cu. yards @ ten cents per yard. Mr. Rigby was granted approval also to purchase an additional 10,000 cu. yards at the same price.

Venice Boat & Motor, Inc. Lease - The Director reported that since the rip rap project completion date is advanced to March 1, 1970, this lease to Mr. H. L. Tomlinson can not take effect until the contractor on the job moves out since some land has to be removed adjacent to Mr. Tomlinson's property. Mr. Dye stated that WCIND has no alternative but to advance the contract commencement date. Commr. Rhodes recommended that the contract with Mr. Tomlinson, of Venice Boat & Motor, Inc., be redated effective when Venice Boat & Motor, Inc., has physical possession of the property. Mr. Tomlinson is agreeable to the new date. Motion was duly made and carried that the property lease previously granted to Venice Boat & Motor, Inc., be redated effective when possession can be obtained.

Pinellas County

MPL P-33 Location - The Director reported that the Corps of Engineers Design Branch has approved the WCIND proposal for two pipelines and rock deposit area to replace the previously proposed P-33 upland spoil area. The Director will go to Pinellas County to determine the pipeline routes and will report on the selection of these routes at the February board meeting.

The Activities Report was accepted as presented.

ANNOUNCEMENTS:

Florida Waterways Association Annual Meeting in Tallahassee on Sunday, January 25, 1970.

Florida Department of Natural Resources Ninth Annual Water Resources Development Conference in Tallahassee on Monday, January 26, 1970.

Motion was duly made and carried that board members and staff are authorized to attend at the District's expense.

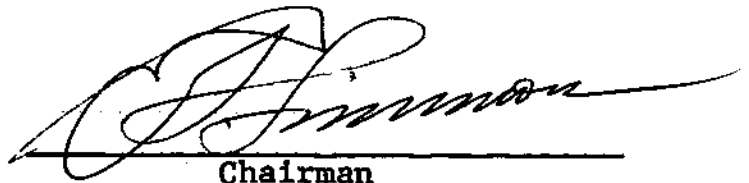
NEXT MEETING DATE -

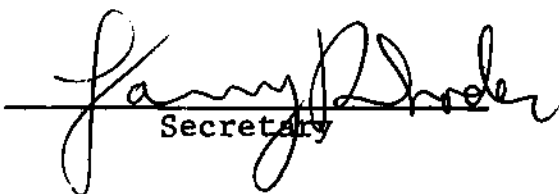
It was agreed that the next Board meeting will be held on Monday, February 16, 1970, at Manatee County Court House, Bradenton, Florida.

Commr. Daniels reported that he was requested to get a status report on the current position of the SCL Bridge plans. The Director stated that Mr. Stahl, J. E. Greiner Company, Inc., recently called and stated that the plans would be completed by the end of January, 1970. This firm's current bill is included in the January vouchers to be paid.

Commr. Conover expressed his pleasure at being recently appointed as Charlotte County representative on the WCIND Board.

The meeting was adjourned at 11:10 a.m.


Chairman


Secretary

ACTIVITIES REPORT

December 9, 1969 - January 12, 1970

I.

A. CHARLOTTE COUNTY

1. Litigation: The litigation reported in last month's activity report involving spoil areas C-17A, C-20, C-21, C-23, and C-29A has been finalized with the exception of C-21. Mr. Danklef, defendant, is asking that the court's findings be set aside. The hearing is scheduled for January 8, 1970 in Punta Gorda, Florida.

B. SARASOTA COUNTY

1. Maintenance Spoil Area, S3-4 - Mr. Hunt, Sarasota County Engineer, expressed interest in Sarasota County obtaining the spoil from MSA S3-4, on a caretaker basis. WCIND board is awaiting proposal.

2. Right-of-Way Widener at Alligator Creek - (Commr. Rhodes) The Director provided a map of the property in question to Commissioner Rhodes for his study for further discussion with the WCIND board and counsel.

3. Fisherman's Wharf Restaurant - A survey has been completed by Mr. Archie B. Brown. Property line has been confirmed and marked off. A contract for the erection of a fence will be let in accordance with instructions of the WCIND board on October 13, 1969.

4. MSA S3-3 Contract (Mr. Bob Rigby) - This contract renewal proposal was discussed at the December meeting but, due to a reported haulroad condition, the renewal was put aside until the road-condition complaint was satisfied. The Director met with Mr. Dermond and Mr. Rigby to review the condition of the haulroad. No decision was reached as to responsibility. Mr. Rigby subsequently contacted Commissioner Rhodes of Sarasota County. Commr. Rhodes recommended that Mr. Rigby and Mr. Dermond reach a determination as to road repair responsibilities.

5. Venice Boat & Motor, Inc. Lease - The Corps of Engineers rip rap project has been further delayed and the estimated completion date is now March 1, 1970; therefore, the Venice Boat & Motor, Inc. lease which was dated January 1, 1970, can not take effect until the rip rap project is complete and the contractor on the job moves out. It is recommended that the lease be re-dated, effective when Venice Boat & Motor, Inc. has physical possession of property.

C. PINELLAS COUNTY

1. Corps of Engineers Approval of P-33 - Letter was received from the Corps of Engineers approving the WCIND proposal for two pipelines and rock deposit area to replace the proposed P-33 upland spoil area. Pipeline routes will be selected prior to February, 1970 board meeting.