

The February meeting of the Board of Commissioners, WEST COAST INLAND NAVIGATION DISTRICT, was held February 9, 1976, in Sarasota County Administration Building, Sarasota, Florida.

Present were: Dan P. McClure, Chairman, Manatee County
Dorothy R. Flowers, Vice Chairman, Charlotte County
Larry Rhodes, Treasurer, Sarasota County
George A. Goldtrap, Jr., Lee County
Don Jones, Pinellas County

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

Absent was: Bob Lester, Hillsborough County

ADMINISTRATION

The meeting convened at 10:40 a.m.

Minutes of December 15, 1975 regular board meeting were approved as presented. The January, 1976 meeting was canceled.

The Treasurer's reports for December, 1975 and January, 1976, were approved as presented. The Director reported on the status of an audit of WCIND operation, conducted by Whitcomb, Harrison & Co., CPAs of Bradenton, Florida, for the years 1971, 72, and 73; also included was a search by Lawyers Title Company to verify the properties owned by WCIND in Sarasota and Charlotte Counties. Copies of the audit for WCIND will be mailed to each Commissioner for the District, WCIND. Vouchers #386 through #422 for January were approved for payment; and vouchers #423 through #448 for February were approved for payment.

Election of Officers - 1976 Commissioner Flowers moved that the Board re-elect Commissioner McClure the WCIND chairman; motion was seconded that nominations be closed and Commr. McClure was elected the Chairman unanimously. Commr. Rhodes nominated Commr. Jones for Vice-chairman; he moved that the nominations be closed; Commr. Jones was elected by acclamation. Commr. Flowers moved that Commr. Rhodes be re-elected WCIND Treasurer; motion was seconded that nominations be closed and Commr. Rhodes was re-elected by acclamation. Commr. Flowers nominated Commr. Goldtrap for Secretary and moved that the nominations be closed. Commr. Goldtrap was elected by acclamation.

Employment of Staff - 1976 Commissioner McClure, Chairman, called for the Board's pleasure to be placed on record for staff employment. Commr. Jones moved that the Board approve the continuing employment of the present staff: Charles E. Furbee, Executive Director; Attorney Dewey A. Dye, Jr., Counsel; and Esther C. Happich, secretary-bookkeeper; the motion was seconded and the motion carried.

Annual Waterway Inspection Trip- March, 1976 The present plans are for dates of Thursday and Friday, March 11 and 12, with March Board meeting Friday morning in Venice. Boat trip begins Thursday, 10:30 a.m. at Tarpon Springs, aboard the C.E. CANAVERAL going south to Ft. Myers; the Thursday overnight stay will be at Holiday Inn north of Venice and adjacent to the new development, South Bay. The Director requested that members designate their plans; final details will be mailed to them.

Recommendation for Membership-Southeast Basins Inter-Agency Committee -
 This Committee is a study group to work on problems with local groups re water resources use for the future. The Director reviewed the list of members belonging and recommended that WCIND join this group, suggesting that the Chairman and Counsel be members. Commr. Jones moved that the Board authorize membership; motion was seconded and carried.

HEARING OF INDIVIDUALS

The Venice Marine Center's Attorney, Mr. C. D. Bailey, Jr., was present to request WCIND consideration of proposal initiating a current plan for a 400' dock. This current plan calls for a dock within 120' of N & W side of the U.S.Hwy.-41 bridge and extending 400' north of the waterway; it will also require some excavation. The Director recommended that WCIND does not take any action before receiving a C.E. report, as well as State and County reports.

ACTIVITIES REPORT

Sarasota County

City of Venice - S/A MSA-32 - The WCIND had previously given its approval for placement of 3,200 cubic yards of dredged material from the Hatchett Creek & U.S.Hwy.-41 area onto WCIND property R/W. The Corps of Engineers office called last week; the Mayor of the City of Venice now can be informed of approval granted by the Corps of Engineers.

Pinellas County

St. Joseph Sound Maintenance Project The Director reviewed his recent letter of January 8, 1976, with Appraisal Attachments I and II, to WCIND Commissioners and Mr. Dye, Counsel; this was relating to the Land Exchange Proposal for properties in Pinellas County and Sarasota County as follows: 1) The Corps of Engineers has declared WCIND property in Sarasota County as excess to the C.E. needs and this property is not on the Sarasota County tax roll; 2) Pinellas County property is situated in a strategic location for continued use as a disposal site; 3) WCIND can not financially fulfill its constituted responsibility to provide lands to the C.E. by outright purchase of lands without borrowing money and raising taxes; 4) the 30-months lease of the property in Pinellas County expires July 21, 1976; owners will not extend the lease nor split property for sale or for exchange purposes; 5) the detailed appraisal for all properties has been reviewed with the appraiser and discussed with the owners of the Pinellas County property; the owners have been convinced to accept the updated appraisal figures. The Director also reported receipt of letter from Mr. Douglass Strickland, DNR, concerning the use of Honeymoon Island; the letter states that many obstacles must be overcome such as the quality of the material, the adequacy of the space designed, and lastly, it would be a temporary easement. A division of the material between Honeymoon Island and the Crystal Beach might be an acceptable "one-shot" solution but repeated maintenance requirement would not be satisfied. The latest appraisal was presented to the Board, this having been provided by the owners of Crystal Beach area property. The Director produced map showing WCIND properties in Sarasota County: S/A S-29 10.3 acres; S/A S-30 3.6 acres;

S/A S-31 38 acres; and the six residential lots on Manasota Key - all in Sarasota County; these six lots are widely separated about 3,000' apart; these were to be used for pipeline easements.

Mr. James A. Martin, Jr., attorney for Pinellas County property owners, addressed the Board: he stated that Mr. Clifton Erikson of Wortman & Mann, Inc., Appraisers, had been initially contacted by Pinellas County in March, 1975, at the County's request, and had also appraised the Sarasota County properties, using the same approach. The Chairman requested an opinion from Pinellas County Commr. Jones who stated that he expected to assume the same position as taken at last month's meeting. The Chairman noted that the Board should consider that this proposed property exchange with updated appraisals submitted today gives WCIND "a tool to maintain the waterway."

Commr. Flowers requested the Director to read to the Board the letter dated February 6, 1976 from the Department of Natural Resources in answer to WCIND request regarding the Honeymoon Island property plan:

...
Para. (3) "In the absence of identified benefits to the Honeymoon Island property resulting from deposition of Intracoastal material on the 48-acre tract, we have attempted to determine whether the material would have any harmful effects, increase eventual state construction and landscaping costs, or cause undesirable development delays in hopes another public purpose could be accommodated. In this connection, the state would require full and unqualified assurances that use of the tract for spoil disposal would not impair the property for public outdoor recreation purposes; recognizing, also, that such use would have to be limited to an initial project and not continued for periodic maintenance."

The Director reported that the Corps of Engineers has not processed the Environmental Impact Statement because they have no disposal site. If the Corps of Engineers gets the land acquisition, then the C.E. proceeds.

Attorney Martin: "The Court found that this project did affect the area where the material would be dumped. The Court put a temporary injunction until the Honeymoon Island property could be reviewed as an alternate area for spoil."

Commr. Rhodes: "Have all other sites been considered in Pinellas County?"

Commr. Jones: "There are no other acceptable sites."

Director: "In addition, I do not believe that WCIND has the money, as was estimated in 1972, for property at \$8,000 per acre, plus the diking costs."

Following discussion concerning the WCIND obligation to provide needed area to the Corps of Engineers for the C.E. Statement, Attorney Dye reported that each property in Sarasota County was appraised and then purchased at an average price of \$20,000 per lot. Commr. Rhodes inquired whether WCIND should contact the original owners where there had been a negotiated settlement.

Commr. Jones noted that WCIND is now on safer ground re the updated appraisals.

Commr. Rhodes: "Since some have expressed their views concerning this matter, I also express my view that this is no solution to this matter; I am opposed to this proposal as a solution."

Attorney Dye reported that another thirty days have gone by; however, this proposed exchange does not bring the Board to a solution since the C.E. Environmental Impact Statement must be considered, including the dredging, as the Court has stated. The property exchange is to be a question for WCIND legal consideration.

Mr. Dye: "Finally, if the Crystal Beach is to be the site, we may be forced to condemn it. This acquiring, in advance, is risky. I don't concur before we know that we can use the property."

Mr. Dye reported that the Sarasota County properties, as described in the land exchange proposal, are much more saleable than the property in Pinellas County.

Chairman: "My own thinking is that there is no other immediate solution to this problem. This is surplus property in Sarasota County for C.E. use; WCIND is taking a calculated risk in any action but it is an attempt in our favor for the WCIND obligation to Corps of Engineers. This attempt has been pursued for a period over three years."

Mr. Jack Kennedy, owner of the Pinellas County, Crystal Beach property, addressed the Board: "We had given WCIND a 30-months easement as was agreed with Attorney Dye, WCIND Counsel."

Commr. Rhodes: "I think, as member of this Board, that the St. Joseph Sound project should go forward and the waterway has to be dredged."

Mr. Dye questioned: "Will the owners be willing to grant the WCIND an option for six months?"

Commr. Jones: "After 30 months; they have stated as of last month that they will not do so."

Commr. Jones: "I will move for Board approval for this property exchange for: \$309,400 WCIND cash payment to Island In The Sun Ltd. The motion was seconded; the final vote to be recorded as follows: Commr. Jones, Goldtrap, Flowers and McClure for four (4) ayes; one (1) nay was voted by Commissioner Rhodes. The motion was carried."

The ACTIVITIES REPORT was accepted as presented.

NEW BUSINESS

State Annual Water Resources Conference, Tallahassee, February 25, 1976. The Director presented letter from State Cabinet, Department of Environmental Regulations concerning format for Federal Funding - Federal fiscal year 1978, in which it was stated that maintenance of existing federal projects are not to be included in the state annual water resources development program. The Director reported his understanding that the

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Gulf Intracoastal Canal Association will initiate consideration for the proposed "Missing Link" project. The WCIND does not have any other project at this time. Mr. Dye noted that 42 miles of the "Missing Link" project comes within the District waterway. Commr. Goldtrap moved that the Director present the WCIND proposal for support of the "Missing Link"; the motion was seconded and was carried.

Boca Grande area, Lee County Commr. Goldtrap questioned re the WCIND interest in Boca Grande area. The Director reported that during the SCL Railroad bridge construction, a WCIND project, the area was cleaned up for environmental control reasons. Commr. Goldtrap reported that Boca Grande is being proposed as a port and it is deemed important; if WCIND can lend support, it will be appreciated. The Chairman noted that the WCIND can give moral support to the people who are interested in the port proposal; the Director was requested to contact Messrs. Shields and Franklin, and Captain Ed Hanson, in Lee County.

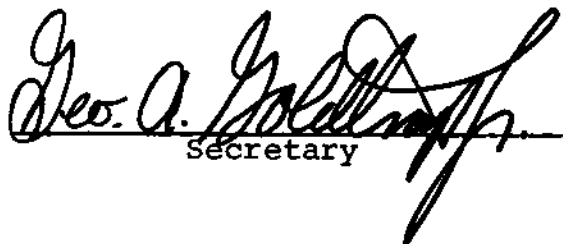
ANNOUNCEMENTS

Annual Water Resources Conference, Tallahassee, February 25, 9:00 a.m.

1976 Annual Meeting, Water Resources Congress, St. Louis, Mo., Feb. 21-23.

Commr. Goldtrap moved that members and staff who attend these two events are authorized to attend at WCIND expense; this motion was seconded and was carried. Copies of these meeting programs will be mailed to the WCIND Commissioners.

The meeting adjourned at 11:45 a.m.


Secretary


Chairman