

The September meeting of the Commissioners, of the WEST COAST INLAND NAVIGATION DISTRICT, was held September 14, 1970 in the Commissioners Meeting Room, Manatee County Courthouse, Bradenton, Florida.

Present were: Ellsworth G. Simmons, Chairman, Hillsborough County
 Kenneth W. Daniels, Vice Chairman, Lee County
 Larry Rhodes, Secretary, Sarasota County
 Dan P. McClure, Treasurer, Manatee County
 A. L. Anderson, Pinellas County
 Howard V. Barr, Charlotte County

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

Guests: Mr. N. B. Sackett, South Venice
 Mr. M. R. Turner, South Venice
 Mr. E. P. MacKay, South Venice

ADMINISTRATION

The meeting convened at 10:30 a.m.

The Chairman welcomed Commissioner Barr who returned to the Board as Charlotte County member.

Minutes of the July 13, 1970 meeting were approved as presented. There was no meeting held in August due to lack of a quorum.

The Treasurer's Report was read and approved. August vouchers, #6384 through #6407, and September vouchers #6408 through #6430 were approved for payment.

Commissioner Anderson moved to confirm Board action taken heretofore for approved increase in salary for the secretary, WCIND Office, effective July 1, 1970; the motion carried, for \$50 per month increase.

The Director reported that \$22,904 was a refund from the City of Venice; this is a rebate on the fund the WCIND had advanced re the City of Venice vs Norfolk Dredging Company lawsuit for watermain damage and a result of settlement before trial date in the amount of \$32,500. WCIND originally advanced \$55,000 to the City of Venice. Commissioner Anderson moved that the Board approve the \$22,904 rebate received from City of Venice in settlement as recommended by Counsel; that the rebate be placed in the Water & Sewer Escrow Account in accordance with the WCIND agreement with City of Venice; the motion carried.

HEARING OF INDIVIDUALS

Messrs. Sackett, Turner, and MacKay, residents of South Venice, each in turn, presented information as to the inability of the Ferry to handle the transportation of increased population in this area over the waterway to the beach in South Venice. They proposed that a bridge

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be erected and do away with the Ferry operation; that with connecting road with the County Road over to the site of the proposed bridge the traffic could be handled adequately back and forth to the beach area and have no necessity to enter U.S. Highway No. 41. Parking space is also needed at the beach and it was suggested that WCIND provide fill from its adjoining property. The question of details of agreement between WCIND and the South Venice Civic Association was raised since these three South Venice residents were here to represent the residents of South Venice and not the South Venice Civic Association. It was stated that the SVCA has plans for a bridge and the \$125,000 remaining from the agreement with WCIND dated September, 1965 is being allotted for the project proposed.

The Chairman stated that the Board will try to clarify its position as the WCIND Commission: this Commission legally settled its difference with the SVCA so far as the crossing of the waterway is concerned.

Mr. Dye stated that SVCA, a corporation, owned two footbridges across the upper end of Lemon Bay, Sarasota County, through which runs the waterway; the SVCA was a party to a condemnation suit in which this parcel was settled for \$150,000 plus \$4,500 attorney fee.

The Chairman stated that the WCIND Board recognizes change, circumstance, and conditions; it is not telling the South Venice representatives that is the end of its concern but, because of this Board's duties and responsibilities as constituted, the South Venice representatives here today for the planning as outlined does not become a duty and responsibility of this Board. So far as a permit for erection of a bridge or the use of any WCIND abutting property or spoil area or cooperation from this Board, yes. The WCIND responsibility starts and ends with providing to the federal government all the necessary land for construction of the waterway. This Board's responsibility so far as development of network of a transportation system for an area--this is beyond the Board's authority.

Mr. Dye stated that WCIND has cooperated with other governmental agencies in providing bridges but had no direct responsibility with the exception of Kumpe Bridge in Venice over the waterway; this bridge was built in cooperation with the State Road Department; this Board does not have authority to take any direct venture of bridge building.

The Chairman recommended that the three representatives of South Venice start "at home" - Sarasota County.

Commissioner Rhodes stated that he met with the SVCA members in August regarding the proposed bridge and they were to start with a request to the Corps of Engineers for a permit.

The Director will provide Mr. MacKay with a copy of the settlement agreement between the SVCA and the WCIND, as settled in court.

The Chairman stated that no proposal had been presented to this Board. The South Venice people must apply to the CE for a permit and they must furnish the CE in Jacksonville with plans and specifications.

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Commissioner McClure stated that the proper procedure is to take the SVCA bridge plans with a request for permit to Mr. Joe J. Koperski, Chief of Engineering Division, Corps of Engineers, Jacksonville; he will then provide the required information to the SVCA.

ACTIVITIES REPORT

Charlotte County

Stump Pass Project - The Corps of Engineers Report in letter of August 18, 1970 stated its decision, regarding study made on the Stump Pass as requested by Charlotte County Board of Commissioners, that it is unfavorable for the federal construction of a channel in this area as this proposed improvement was not considered economically justified. WCIND had set aside \$45,000 for this proposed project as one of local sponsorship. Commr. Barr stated that Charlotte County currently has no plans to approve expenditures for this project and moved that the WCIND delete from its budget the local sponsorship fund of \$45,000; the motion carried.

SCL Railroad Bridge Status - The Director reported that WCIND received a copy of letter from the SCL Railroad Company to the J. E. Greiner Company, Inc., offering final comments and stating that plans and specifications should now be finalized. WCIND is now awaiting advice. Commr. Daniels reported that the question now is whether or not the SCL is to confirm its commitment to continue operations at Boca Grande facility. Also, he had received no current information after a meeting with officials of the Fort Myers Chamber of Commerce as to the problem of air and water pollution. He stated that no commitment or denial has been obtained from the SCL Railroad Company regarding its problem there. Commr. Daniels declared his refusal to vote for approval of the SCL Bridge until the SCL states its commitment to the Boca Grande facility for permanent operation and has met those conditions demanded by the Air and Water Pollution Control Department of the State of Florida. This must be documented evidence.

The Chairman stated that this is basically the opinion of all Board members. Advice is now awaited from the Greiner Company engineers. WCIND might now want to have its committee with Counsel prepare a resolution to set forth WCIND's decision to bring this to a conclusion, to determine from the Corps of Engineers its present position on the necessity of providing larger clearance through the bridge at Placida.

Commr. McClure recommended that the Director be instructed to request the Office of Air and Water Pollution Control to advise WCIND on the pollution problem at Placida.

Commr. Anderson moved that the SCL Bridge status be referred to the legal department to bring it to a conclusion at the earliest possible date; the motion carried.

Sarasota County

Fort Myers Shell and Dredging Company and R.C. Martin Concrete Products, Inc. - These two parties were advised by WCIND that WCIND does not have sufficient rights to grant a lease permit for the barge unloading facility. They were advised to obtain permission from the Sarasota County Board of Instruction, who owns the fee title, as WCIND has only an easement at the location.

Casey Key Pipeline Negotiations - Two easements are being negotiated and the owners have been advised by letter. The Director is awaiting replies.

Alligator Creek Right-of-Way Widener - This strip, approximately 35' X 55' is the additional property needed from the three owners: Caspersen, SVCA, and the W & A Construction Company. WCIND was notified by SVCA to start suit by August 1, 1970 and this was instituted on July 30, 1970; there is no date for hearing to date. This is an added requirement since the CE was off-center during the construction of the waterway and the CE has made the requirement for acquisition.

MSA S3-4 Spoil Material Contract - The Director reported that a request was received from Graves Contracting Services Company for purchase of approximately 10,000 cubic yards of spoil material from MSA S3-4. The current price is 25 cents per cubic yard. Commissioner Rhodes moved that the Director proceed with the sale of spoil material for the 10,000 cubic yards requested; the motion carried.

Request of D.A.V. Chapter 101, Venice Area - Commr. Rhodes stated that he is following this request made to Sarasota County. This report will be presented to WCIND at which time WCIND Counsel will make the recommendation to the Board.

City of Venice Annexation Proposal - This parcel is approximately a 55' wide strip and about 400' long. Commr. Rhodes moved that the request be approved; the motion carried.

Pinellas County

Indian Rocks Beach Pipeline Easements Report - The City Manager, Mr. Koch, will make a report, after City Council meets on September 21, concerning the two easements WCIND requested. The outlook is favorable to approval; these two easements will thus be obtained rather than the WCIND having to pay \$50,000 for two spoil area locations in this designated area.

Dunedin Pass Stabilization Study - A request by the City of Clearwater to support a local project to dredge and stabilize the Dunedin Pass was presented to the Director. The Director recommended that they seek advice from Commr. Anderson. The Board, without expressing an opinion one way or another, concurred with Commr. Anderson that the request be presented to the Pinellas Board for action.

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Submerged Land Spoil Areas P-12, P-13 - Mr. Dye stated that these submerged land spoil areas were located by the Corps of Engineers, one about 20 acres, and the other about 10 acres, near the South Corey Causeway. Commr. Anderson moved that acquisition be authorized as per the Corps of Engineers requirement; the motion carried.

GENERAL

National Waterways 1970 Conference will be held in Tulsa, Oklahoma, September 16 - 18; the St. John - Indian River Canal District Open Hearing will be held in Sanford, Florida, October 2 for the intercoastal link of 27 miles. WCIND was invited to attend and was requested to support. Commr. Anderson moved that Board members and staff be authorized to attend at District expense; motion carried.

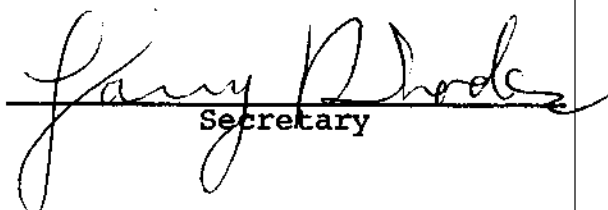
WCIND Property Maintenance - Commr. Rhodes inquired as to the procedure for maintenance of the property adjoining the Fisherman's Wharf Restaurant. Commr. Anderson moved that the Director follow through to investigate the expense necessary to make the improvement and present the matter to the Board.

NEXT MEETING DATE - It was agreed that the next Board meeting will be held on Monday, October 12, 1970, Manatee County Courthouse, Bradenton, Florida.

The meeting was adjourned at 11:30 a.m.



Chairman



Secretary

ACTIVITIES REPORT

August 10, 1970 - September 14, 1970

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I.

A. CHARLOTTE COUNTY

1. Telephoned inquiry to Mr. Stahl, Greiner & Co., Inc., Engineers, in reference to SCL Railroad Bridge plans and specifications; was informed that the SCL Railroad Company had not returned the plans with SCL final comments.

B. SARASOTA COUNTY

1. Received telephoned request for purchase of spoil material from MSA S3-4 from Graves Contracting Company for a maximum of 10,000 cubic yards at 25 cents per cubic yard. Request for Board approval.

2. Letters were mailed to two Casey Key property owners submitting offer for 25-foot pipeline easements for the appraised amount. No response has been received to date.

3. Condemnation petition was filed July 30, 1970. No hearing has been scheduled to date.

4. The Director visited with Mr. Wannamaker here at office re the D.A.V. Chapter 101, Venice request; this is in regard to proposal for use of WCIND property. The Director advised Mr. Wannamaker that Mr. Dye is attempting to solve legal considerations. He will advise.

5. The Director received a request from Mr. Paul A. Youngberg, City of Venice Administrator, for WCIND concurrence in the annexation by resolution. Approval is recommended.

6. Letters were mailed to Fort Myers Shell and Dredging Company and R. C. Martin Concrete Products Company informing them that WCIND may not have sufficient rights to enter into a lease contract for the purpose of large terminal operations based upon legal opinion. No response has been received to date.

C. PINELLAS COUNTY

1. The Director delivered pipeline easements to Mr. Koch, City Manager, for acceptance by City Council. These will be presented to the Agenda Work Session on Tuesday, September 15, and then to the City Council on September 21, 1970.

2. The Director attended a meeting in City Hall, Clearwater, to discuss a local sponsorship project, Dunedin Pass Stabilization; and suggested they present proposal to Commissioner Anderson for his review and for necessary action.

II.

GENERAL

1. The Director discussed with CE Clewiston office, Mr. Pierce, a sounding survey of several reported shoaling areas along the waterway. He will advise this office when the survey will be scheduled.

2. Processed Participating Agreement with State of Florida, Department of Natural Resources for continuing investigation of water resources of the State of Florida and the U.S. Geological Survey.