

The August meeting of the Commissioners, of the WEST COAST INLAND NAVIGATION DISTRICT, was held August 11, 1969, in the Commissioners Meeting Room, Manatee County Court House, Bradenton.

Present:

Ellsworth G. Simmons, Chairman, Hillsborough County
 A. L. Anderson, Vice Chairman, Pinellas County
 Kenneth W. Daniels, Secretary, Lee County
 Kenneth D. Brumbaugh, Sarasota County
 Howard V. Barr, Charlotte County

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

Absent: Dan P. McClure, Treasurer, Manatee County

The meeting convened at 10:30 a.m.

Minutes of the July 14 meeting were approved as presented,

The Treasurer's Report was read and approved. Vouchers, #5985 through #6006, were approved for payment.

The Director reported that WCIND is covered by Auto-Owners Insurance Company (Weichel Insurance, Bradenton) for the public liability insurance in the amount of \$100,000/\$300,000. The insurance auditor is due at the WCIND office today for a complete review of WCIND held property. Motion was duly made and carried that the property insurance policy for adequate coverage be authorized for renewal by the Director.

Resolution - re authority to execute instruments: Upon motion duly made and carried, Resolution 69-13 was adopted authorizing the Chairman or the Vice Chairman of the Board to execute legal instruments conveying fee simple title, or any lesser estate, in land owned by such District or in which the District holds an appropriate interest to the United States of America; and that such conveyance instruments shall have impressed thereon the official seal of said District. This resolution approves, ratifies, and confirms any conveyances of any lands or any interest therein heretofore made and executed in behalf of the District by the Chairman or Vice Chairman of the Board of said District to the United States of America.

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Salaries:- The Chairman recommended that the Board consider salary increases for the Executive Director, and for the Attorney; he stated that a review of the workloads and responsibilities carried out for the remuneration paid them (the Attorney has been paid the same fee since May, 1964) indicated that increases were in order. Motion was duly made and carried that the salary of the Director be increased from \$7,200 to \$8,400 annually effective August 1, 1969. Motion was duly made and carried that the Attorney's fee, in accordance with the fees paid for similar by other agencies, be set at \$30 per hour for routine legal services (office work) and \$40 per hour for litigation (court work); and that the Attorney prepare a modified contract to be executed by the Chairman on behalf of the Board effective Aug. 11, 1969.

Guest - Colonel Roger M. Bachman was introduced to the Board. He appeared before the Board representing the Florida Department of Natural Resources to report for Director Randolph Hodges on state matching fund grants and their disposition. Colonel Bachman reported to the Board that he attended the recent hearing of the Anclote River-Tarpon Springs project by the Corps of Engineers for developing and deepening the channel depth, and plans for recreational facilities on the spoil banks offshore in Pinellas County. Commr. Anderson stated that Tarpon Springs may be the local sponsor. The question was not resolved as to who will be the local sponsor. The State of Florida is interested in the project and Colonel Bachman stated that WCIND may wish to participate.

Colonel Bachman reported on the status of water resources development funds (outlined in Chapter 374 - Florida Statutes, which describes the uses of such funds); primarily, these funds were used by the Cross-Florida Barge Canal project. The right of way cost for this project is considerably in excess of the income which the .6 millage of local taxes created for the project. Next in line was FIND who received \$100,000 the same year, and WCIND received \$63,589. Colonel Bachman reported that the rule governing matching funds was the need involved. Funds totaled \$5,939,524 for FY 1968-69. Funds were overdrawn in FY 1968-69 and it was necessary to deny those WCIND resolutions for matching funds for FY 1968-69; however, these resolutions will be introduced for grants in FY 1969-70. He stated that if the Cross Florida Barge Canal project could not fully allocate the funds earmarked for them, then these funds will be released for other needs.

Chairman Simmons asked if any funds are planned for WCIND? Colonel Bachman replied that there is no answer for this question to date. Chairman Simmons reviewed the two WCIND requests for matching funds and stated the Board will persist in these requests for WCIND.

On behalf of the Board, the Chairman thanked Col. Bachman for his time and efforts for past contributions made by the State. Commr. Anderson expressed his appreciation for Col. Bachman's appearance at the hearing for the Anclote River-Tarpon Springs project and stated that Tarpon Springs in Pinellas County would be working with the Corps of Engineers to get the recreational areas in Pinellas County.

ACTIVITIES REPORT

Charlotte County

The Director presented a letter dated July 24, 1969, received from Mr. T. B. Hutchason, Ass't Vice President of SCL Railroad Company, which stated the SCL's decision to continue the use of the railroad facilities at Port Boca Grande and the main line serving these facilities. Under these circumstances, the WCIND was advised to make its plans accordingly. The Director and Mr. Dye visited the J. E. Greiner Co., Inc., office re the engineering study and cost with a revised estimate for the over-all cost of the project. A letter from the Greiner Corporation was received today with a revised estimate promised for WCIND on or before August 22.

The Chairman inquired if the WCIND has any alternative? Commr. Anderson stated that he did not believe that the SCL in 1968 could abandon the project then later, with increased costs, reverse their decision with the WCIND having to spend additional public tax dollars.

The Chairman noted that the facility (SCL bridge) is located in Charlotte County and the Port is in Lee County. The WCIND made its commitment to the Corps of Engineers for the draw span. The SCL has title to the bridge but WCIND has the responsibility for correcting the impediment to navigation caused by the bridge.

Commr. Daniels stated that neither County wished to lose the port or to spend funds on the facility which might be abandoned.

The Chairman called on Mr. L. H. Stahl who represented the Greiner Corp. He referred to the WCIND contract with them and the phases to be completed: Phase II - Surveys and Foundation Investigations and Phase III - Design and Preparation of Plans & Specifications. Greiner Corp.'s fee for completing plans for the rail span would be \$5,000 more than it would have been had it been allowed to complete the work fifteen months ago.

Commr. Brumbaugh recommended that SCL be asked to pay the cost difference for the engineering fee. Commr. Anderson stated that since the bridge is in poor condition and since WCIND has decided to play Santa Claus to the SCL - he believed that the Corps of Engineers

has certain prerogatives and should be advised of the Board's position so that the Corps of Engineers could assist the District as far as they are able.

The Chairman stated that the WCIND Board, based on the best available advice and the best judgment of the Board, was committed to the replacement of the bridge under certain conditions. The Board recognizes its responsibilities. In the past when the Corps of Engineers wanted the replacement, the WCIND could not meet the commitment at that time. The Board has enjoyed the use of these allocated funds.

Commr. Anderson stated that the WCIND commitment is a certain dollar amount and should not fluctuate because of the SCL's decisions.

Mr. Stahl reported that the 1966 bridge cost estimate of \$500,000 will have to be revised based upon today's cost. An amount of \$21,350 had been paid to the Greiner Corporation through June 1968 when WCIND, as a result of notification by SCL to the effect that SCL may abandon their Boca Grande operation, instructed the Greiner Corporation to desist in the engineering work. The Board will receive the revised costs by September 1, 1969.

Commr. Anderson moved that the Board authorize Greiner Corporation to proceed to complete the plans and specifications for the bridge at a total additional cost of \$19,350, and that the Seaboard Coast Line Railroad Company pay the \$5,000 extra caused by the Seaboard Coast Line's delay.

The Chairman stated that the Board will have the revised estimate by September 1 and the Attorney and Director will review the files to make a current presentation. The Chairman stated his hesitation to state "WCIND will or will not pay any dollar amount" until the Board has a complete report in the letter promised by Mr. Stahl by September 1, 1969.

Mr. Dye stated that the WCIND has a contract with Greiner Corporation and this firm is looking to WCIND for payment of services, not to some other party.

Commr. Anderson stated his opinion that the Board is not renegeing on the contract with Greiner Corporation; he wanted to know what position the SCL Railroad Company is going to take and the extra cost.

Commr. Daniels suggested that a decision should be held in abeyance until the next meeting.

At this time, Commr. Anderson withdrew his motion.

The Chairman recommended that an amount not to exceed \$1,000 be authorized to up-date the cost estimate.

Motion was duly made and carried to authorize this cost, not to exceed \$1,000, and to be received by WCIND not later than September 5, 1969.

Stump Pass Commr. Barr discussed the proposed dredging of Stump Pass. Other projects have greater budgeting priority, such as Manasota Key erosion and Charlotte Harbor dredging. Commr. Barr requested the Board to consider sending the Director, the Attorney, and any Board member to Charlotte County Court House to make a presentation concerning the work of WCIND and to answer questions of Charlotte County officials. He stated that no funds are available from the Charlotte County budget for Stump Pass this year. The Chairman asked if the Commissioner would want the WCIND Board meeting there since the Board could hold its public meeting there at a convenient date.

Commr. Anderson moved that the Director, the Attorney, and any Board member be authorized to attend a meeting in Charlotte County when invited to present the WCIND position and supply any information required. The motion carried.

Sarasota County

Re-zoning Request for Spoil Areas: Commr. Brumbaugh reported on the granting by Sarasota County the re-zoning from M-2 to G-2 (Governmental-Special) for spoil areas held in the County by WCIND: S-29, S-30, S-31A, and S-32. The S3-3, S3-4, and S3-8B areas are located in the City of Venice and its officials should likewise be contacted. Motion was duly made and carried that the Director and Commr. Brumbaugh are to pursue the request for re-zoning with the City of Venice. The Chairman, on behalf of the Board, expressed thanks to Sarasota County for its cooperation, including waiver of the County's usual fees.

Venice Jetty Rehabilitation Project: The Director received a letter dated August 8, 1969, from Dr. Caspersen who stated that the reworked irrevocable license for an easement to the North Venice Jetties is being reviewed. In the meantime, Dr. Caspersen's letter gave authority for the Corps of Engineers to use the access road and right of entry over his property. The Corps of Engineers is to award the contract August 25, 1969.

Venice Waterway Rip Rap Project: The Director reported that this work is eighty per cent complete.

Sale of Spoil (Spoil Area S3-4 location): The Director reported that Commr. Brumbaugh and he had agreed to Mr. H. Hanchey's request to purchase 20,000 - 25,000 cubic yards of spoil from S3-4 at 15¢ per cu. yd. The Director confirmed the WCIND terms by letter to Mr. H. Hanchey (B & J Dragline Service, Venice, Florida). Commr. Brumbaugh stated that he is expecting further information on the spoil available there. Motion was duly made and carried that the Director and Commr. Brumbaugh are to proceed according to the authority granted.

Pinellas County

Spoil Area P-28: The Director reported that the complaint re dredging in the area, made by Mr. David Mosher, Seminole, Florida, has been resolved.

The Activities Report was accepted as presented.

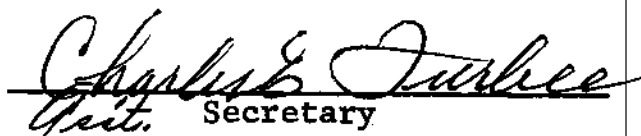
ANNOUNCEMENTS: Florida Shore & Beach Preservation Ass'n will hold its annual meeting on November 5, 6, and 7, at Redington Beach, Florida.

Florida Ass'n of Soil & Water Conservation District Supervisors will hold its meeting on August 20 - 22, Fort Harrison Hotel, Flearwater, Florida.

NEXT MEETING DATE: It was agreed that the next Board meeting will be held on Monday, September 15, 1969, at Manatee County Court House.

The meeting was adjourned at 11:55 a.m.


Chairman


Secretary

ACTIVITIES REPORT
July 14, 1969 - August 11, 1969

I. PUBLIC LIABILITY INSURANCE
WCIND has the following coverage:

<u>COVERAGES</u>	<u>LIMITS</u>
COMPREHENSIVE COMMERCIAL	
Premises-Operations	Bodily Injury 100,000 Ea. Person
Elevator	300,000 Ea. Occurrence
Products	Property Damage 10,000 Ea. Occurrence
Contractual	
Protective	
Automobile	
WORKMEN'S COMPENSATION	
	Statutory
Valuable Papers & Records Location #1	1,000
" #2	10,000
" #3	10,000
Policy No. 20127238	
AUTO-OWNERS INSURANCE COMPANY	
August 9, 1968 to August 9, 1969	
Renewed August 9, 1969 for 1 year.	

II., A. CHARLOTTE COUNTY

1. MPL C-29 Easement - This was sent to the Corps of Engineers for approval.
2. S/A C-21 - The legal description was checked against survey prepared by Mr. Archie Brown. The description corresponded with the survey prepared by Mr. Brown and the Director is now in the process of securing from Mr. Brown the meander lines around C-21 to see if they correspond with the other boundaries of the spoil area.
3. MSA C-25 - The TIIF forwarded an instrument to the Corps of Engineers which contained a termination clause that was unacceptable to the Corps of Engineers. A letter was received from the CE to this effect and Mr. Dye met with the Attorney General and the staff of the Trustees to resolve the matter.

B. SARASOTA COUNTY

1. MPL S-15 Easement - This was sent to the Corps of Engineers for approval.

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2. MPL S-11 - A survey was received from Hansgen and Associates as to the location. The description contained in this conveyance was prepared by the Corps of Engineers and appears to be in error. It does not cover the property owned by the WCIND. The Corps of Engineers has been requested to review this matter. It appears that a quitclaim deed will have to be obtained from the Corps of Engineers on this property.

3. Access Easements: Venice Jetties - On July 24, 1969, a meeting was held with the Corps of Engineers in Jacksonville to review the access easements required by the CE for repairs and maintenance of the Venice Jetties on both the North and South sides. A proposed Irrevocable License submitted by Dr. John W. Caspersen was reviewed by the Corps of Engineers and they suggested several modifications. This License has been redrafted and was submitted to Dr. Caspersen for his approval. A temporary access easement has been drafted and forwarded to Mr. G. Gibbs for access to the Jetty on the South side of Venice Inlet. A full discussion was held with the Corps of Engineers concerning the request of Mr. Gibbs of Tarpon Center for release of certain easements held by the Corps of Engineers on parts of his property.

4. Spoil Area MSA S3-4 - A letter of request to the Sarasota County Planning Commission, covering re-zoning of MSA S3-4 and all spoil areas in Sarasota County from "M-1" to "G-2" (Governmental - Special), was forwarded on July 31, 1969.

5. South Venice Civic Association - Mr. Hartley Dermond was advised that the Corps of Engineers had returned the engineering sketch for compliance with processing instructions contained in the CE pamphlet "Permits for Work in Navigable Waters." Mr. Dermond had not received the sketches or instructions from the Corps of Engineers. The CE was so advised by the Director and the sketches and instructions were re-transmitted by the CE.

C. PINELLAS COUNTY

1. MSA P-29 - This has been forwarded to the Corps of Engineers for approval. An O. & E. report has been received from a title company in Pinellas County but the survey has not been received from George Young & Associates as of this date.

III. RESOLUTION

1. The U.S. Army Corps of Engineers requires a resolution - which authorizes the chairman of West Coast Inland Navigation District to convey instruments to the Corps of Engineers.