

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

Present were: Ellsworth G. Simmons, Chairman, Hillsborough 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

Absent: Kenneth W. Daniels, Vice Chairman, Lee County

ADMINISTRATION

The meeting convened at 10:30 a.m.

Minutes of the September 14, 1970 meeting were approved as presented.

The Treasurer's Report was read and approved. October vouchers #6431 through #6449 were approved for payment.

ACTIVITIES REPORT

Charlotte County

The Director reported that WCIND was in receipt of the J. E. Greiner Company, Inc., final Plans and Specifications copy dated October 7, 1970 for the SCL bridge project at Placida, Florida. These plans were available to members for examination. The next step is to determine the position of the Corps of Engineers. At that time the SCL must answer to the Florida Air and Water Pollution Control Department as to air pollution corrective measures; also, WCIND must have documented evidence that the SCL Railroad Company has met or will meet those conditions demanded for air and water pollution control before WCIND will proceed further with the bridge span replacement.

Mr. Dye reported that he had met with Mr. Nat Reed, chairman of the Florida Air and Water Pollution Control Department, in Tallahassee recently and that the SCL Railroad Company must report to his board on December 1, 1970 as to the conditions to be met regarding air pollution correction at the Boca Grande loading facility. Mr. Dye recommended that the WCIND Board await this report and then be governed accordingly.

Commr. Anderson stated his opinion that it seemed the Board is in the driver's seat and should not have to wait until December 1 to hear from the SCL Railroad Company. "It is a choice that the SCL Railroad Company must make now. We should put an ultimatum on the obligation of WCIND to spend taxpayers' money to build something for the SCL Railroad's benefit. This Board has had no cooperation from the SCL in the form of moving the project along or abandoning it. This is my stand."

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The Chairman noted that the interim period is about 45 days to the December 1 deadline. There was no objection.

Commr. Anderson offered a motion to the effect that the Director be instructed to inform the SCL Railroad Company that the WCIND wants an answer, yes or no, to accept the final Plans and Specifications as presented on or before December 1, 1970; if not, WCIND will withdraw from participating in building the bridge.

The Chairman questioned whether or not WCIND should take this firm position on withdrawing from the project, contingent on the SCL answer by December 1, for the public interest and for any other circumstance.

Commr. Anderson stated that the bridge is for the public benefit; it should be built and the SCL Railroad should operate it or consider this contract abandoned by the SCL Railroad Company.

Commr. Barr stated that since this project is pertinent to Lee County and since Commr. Daniels is absent perhaps the Board should wait for Commr. Daniels to be present before taking action.

Commr. Rhodes stated his willingness to second Commr. Anderson's motion if he thought the SCL Railroad will abandon the project.

The Chairman asked the Board to pursue the matter by placing the Board's final decision for the bridge project on the agenda for the November meeting.

Commr. Anderson agreed to the proposed action for the Board to take final action - one way or another - pending the SCL Railroad Company decision to accept or reject the Plans and Specifications submitted, since it is costing taxpayers more money every day.

Commr. McClure agreed with Commr. Anderson but stated there is another pertinent point: "It has reached the point now as to whether WCIND has to build the bridge under any circumstances. A more pertinent question might be to refer this to the attorney for what steps might be taken by this Board to abandon the bridge project completely if the Board decides to do so."

[NOTE - there was no second to Commr. Anderson's motion or amendment.]

The Chairman stated: "The WCIND has a commitment with the Corps of Engineers and is awaiting the CE reply. With a report to be received from the attorney on the SCL Railroad pollution problem and the directive from the Corps of Engineers to come, this Board must check with the SCL Railroad Company before the next meeting and then move without any further delay. If the bridge project is a requirement by the Corps of Engineers, then WCIND must pursue."

Sarasota County

Casey Key Pipelines - The Director reported that negotiations are in process for four locations previously reviewed with the

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Board. Negotiations have reached a point on two of the easements, the (Sou Chan and Link) that adoption of a standard form condemnation by resolution is in order. Mr. Dye therefore presented Resolution, WCIND No. 70-04, and explained it determined the necessity of acquiring the two parcels as located and described and authorized condemnation proceedings if required. Upon motion duly made and carried, Resolution No. 70-04 was unanimously adopted.

Venice D.A.V. Chapter 101 Proposal - The Director stated he had met with the Corps of Engineers on Friday, October 9 re the granting of a permit for the proposal submitted. The CE stated that no permanent improvements would be allowed. Mr. Dye stated his opinion that, knowing the ultimate use of the location requested, posed the problem to WCIND: the Corps of Engineers hold a permanent easement on this property which does not permit any permanent building; therefore, WCIND does not have the right to approve permanent structures.

The Chairman stated that the WCIND, knowing the proposed use, has no right to permit any building. The proposal, by necessity, is denied.

Maintenance of Waterway banks, etc. - The Director reported that the Corps of Engineers is awarding a contract to mow 90 acres along the banks of the waterway in Venice, starting October 10, 1970. This contract was awarded a local party in Sarasota County.

Pinellas County

The Indian Rocks Beach Pipeline Easements - Acquisition is still unresolved. The Director reported that earlier favorable report, re the two pipeline easements requested, is now changed since it has been recently reported that upland owners wished to have the spoil rather than placing the spoil on the beach. The Director must appear again at a scheduled meeting to inform the Council of the advantage of the plan with correction of beach erosion. Commr. Anderson participated in the past meetings for Indian Rocks Beach pipeline easements and he offered his assistance in further negotiations.

The Activities Report was accepted as presented.

GENERAL

Motion was duly made and carried that members and staff may attend at district expense the Florida Shore and Beach Preservation Association Annual Convention, Palm Beach, Florida, October 28, 29, 30.

NEXT MEETING DATE: It was agreed that the next Board meeting will be held Monday, November 9, 1970, Manatee County Court House.

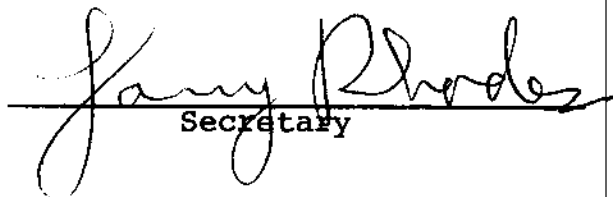
Mr. Dye presented a revised permanent easement for MSA C-25, located in Charlotte County, for submerged land south of the Tom Adams Bridge area in Lemon Bay. Motion was duly made and carried that this

permanent easement instrument for MSA C-25 revision be executed for conveyance to the United States.

The meeting was adjourned at 11:05 a.m.



Chairman



Secretary

ACTIVITIES REPORT

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September 14, 1970 - October 12, 1970

I.

A. CHARLOTTE COUNTY

1. Conference with Mr. Stahl of J. E. Greiner & Company, Inc., reference the SCL Railroad Company Plans and Specifications. Received final P & S October 7, 1970.

2. Conference, October 9, 1970 - with Mr. Hughes, Corps of Engineers Real Estate Division, Jacksonville District; reference: C-17A, C-21, C-23, and C-29A.

B. SARASOTA COUNTY

1. Conference with Mr. Pierce, Corps of Engineers Clewiston Office, regarding the Maintenance of Waterway banks, etc. He advised that contract is being prepared for bidding.

2. Re-initiated letters to property owners on Casey Key for Pipeline Easements.

3. Hearing scheduled for October 8, 1970, for the Re-zoning of MSA S-29, MSA S-30 from Industrial to G-1.

C. PINELLAS COUNTY

1. Director received information from Mr. Koch, City Manager, Indian Rocks Beach re the Pipeline Easement Request by WCIND: was not considered at last Council meeting. Will re-initiate the WCIND request to Mayor Lay of Indian Rocks Beach.

2. Negotiations have begun for acquisition of Submerged Land Spoil Areas, P-12 and P-13.

II. GENERAL:

1. Florida Shore and Beach Preservation Association Annual Convention, October 28, 29, and 30, 1970, Palm Beach, Florida.

2. FISCAL YEAR FOR W.C.I.N.D. ended September 30, 1970. The annual financial notice will be made during October, 1970.