

The November meeting of the Commissioners of the WEST COAST INLAND NAVIGATION DISTRICT was held November 17, 1969, in the Commissioners Meeting Room, Manatee County Court House, Bradenton, Florida.

Present:

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

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

Absent: Kenneth D. Brumbaugh, Sarasota County

The meeting convened at 10:30 a.m.

The Chairman expressed the Board's regret for the loss of Commissioner Kenneth D. Brumbaugh's able and faithful services as Sarasota County representative on the WCIND Board.

The Director read a resolution of appreciation for the services of Commissioner Brumbaugh who has served as Sarasota County representative for the period January 13, 1969, through October 28, 1969. Upon motion made and unanimously carried, Resolution No. 69-15 was adopted.

The Chairman welcomed Commissioner Larry Rhodes as the new Sarasota County representative and Mr. D. A. Dye, Jr., administered the oath to Commissioner Rhodes.

Minutes of the October 13 meeting were approved as presented.

The Treasurer's Report was read and approved. The WCIND, as of November 23, will have the fifth \$100,000 certificate of deposit bearing interest at 6½ per cent for six-month periods. Vouchers, #6073 through #6109, were approved for payment.

The Director briefed the Board on the comparative financial statement, September 30, 1968 to September 30, 1969. The District had acquired more property per dollar value, though it cost the District approximately \$10,000 less to acquire.

ACTIVITIES REPORT

Charlotte County

The Director reported on acquisition of five upland spoil areas set for trial this week: C-17A, a lot constituting part of the pipeline in question, C-20 and C-21 upland areas on Lemon Bay, and C-29 and C-29A upland areas near Englewood. This will complete Charlotte County upland requirements. Mr. Dye explained that three of these parcels are being acquired because of the new policy established by the Corps of Engineers and the State; that is, not to establish any more spoil areas on submerged land areas reported to be valuable for conservation if upland areas are available.

Request for Maintenance Investigation, Grove City Realty Corp. The Director and Commissioner Barr inspected the proposed dredging site and no objections are offered. Mr. Dye will prepare the "letter of no objection", with a Hold Harmless Clause, for the dredging of material to be placed on owner's upland property.

The Chairman requested that those spoil areas now being acquired be shown on the Counties' record maps for the waterway. Mr. Dye stated that a revision will be submitted to show the areas as they are acquired and these revisions will be inserted into the loose-leaf binders of record maps for the waterway. The Director stated that this was the next project and all record maps will receive the insertions for spoil areas as acquired. The Director reported that the record maps are much in demand and are being furnished at cost.

Sarasota County

WCIND request for Rezoning County S/As to G-2 (Gov't. Use) - The Director reported that no information as of this date has been received from the Sarasota County Planning & Zoning Commission following a scheduled meeting on November 13. The Director and Commissioner Rhodes were directed to follow through on the WCIND request.

Sale of Spoil S3-4 - The Director reported that Mr. Hanchey, owner of B & J Dragline Service, has completed hauling and is in the process of complying with the contract terms. During October and November, approximately \$11,000 has been received from sale of spoil. This matches receipts from the sale of spoil for the entire history of WCIND.

South Venice Civic Association - Mr. D. A. Dye, Jr., reported on a letter from this association's attorney, Mr. W. R. Korp, in answer to Mr. Dye's letter, written on instruction from the Board, stating that

this Board is not liable for the silting-in of the ferryboat landing since it is a natural hazard of all waterfront property and second, that in a previous condemnation suit WCIND had paid the S.V.C.A. \$154,000 for settlement of past, present, and future claims.

The Chairman stated the Board's feeling that it was not a lack of Board sympathy for the problem, but that it did not feel legally responsible.

Right-of-Use: Encroachment by Fisherman's Wharf Restaurant -

The owner's attorney answered Mr. Dye's letter of November 5 wherein Mr. Dye stated the WCIND Board's decision and instructions. The attorney requested documentation of WCIND's ownership of this property. Mr. Dye advised the Board that copies of exhibits, deeds and surveys are being forwarded to the attorney.

Pinellas County

Spoil Area P-33 - The Director reported on negotiations for acquisition of P-33 site since the first had been rejected by the Corps of Engineers. The new location comprises about 8.78 acres in the Belleair Bluffs area and is owned by Mr. Murat B. Young with an appraised value of \$5,000 per acre. Two alternate plans have been submitted to the Corps of Engineers: one, establish a pipeline easement over to the beach, a path of least resistance; and two, make an extension of a mangrove island for a spoil area. Letter describing these two alternate plans was sent to the Corps of Engineers requesting early consideration.

Motion was duly made and carried that the Activities Report be accepted.

NEW BUSINESS

WCIND Inspection Trip of Waterway - December 8 and 9, 1969 -

The Chairman reported on receipt of confirmation from the Corps of Engineers, Jacksonville District, for providing the CANAVERAL - the same boat used for the trip two years ago. The trip will begin at Ft. Myers, dock at Sarasota's Holiday Inn the first night, and hold the December meeting the next morning, 8:30 a.m., December 9; then continue to Tarpon Springs, the waterway terminus. The Director reported he will proceed with plans and make a report of the time schedule to the Board members. The District's record maps will be on board for reference during this trip. Commr. Anderson announced that the City of Tarpon Springs will host a luncheon on December 9.

Motion was duly made and carried to authorize the waterway inspection trip with all necessary expense for members and staff incurred therein for travel and for lodging, in accordance with the State travel regulations; this is to be in keeping with a finding that this trip is in the best interest of WCIND in that it will allow all members of the Board to become fully acquainted with the waterway and its needs - especially the Board's three new members.

Florida Waterways Association meeting, November 23, 24, 1969 -
This meeting will be held in Winter Park, Florida. Motion was duly made and carried that the staff and any member of the Board is authorized to attend at District expense.

Mississippi Valley Association meeting, January 31 - February 2 -
This meeting will be held in St. Louis, Missouri. Motion was duly made and carried that the staff and any member of the Board is authorized to attend at District expense.

Right-of-Way Problem in South Venice Area - Mr. Dye reported on the need to resolve an old outstanding right-of-way problem in this area involving the Caspersen property. When Commr. Wright was the Sarasota County representative on the Board, Sarasota County was negotiating with the Caspersen family for the County or State to acquire the Caspersen remainder interest in property south of Venice. Commr. Wright asked, and the Board had agreed, to hold up on resolving this problem until Sarasota County reports its decision. Motion was duly made and carried that Mr. Dye and Commr. Rhodes present their recommendation at the December meeting.

Martin Concrete Company request for Barge-docking Space -
Commissioner Rhodes reported this request to the Board. This matter is to be explored by the Director and Commissioner Rhodes and their recommendation is to be presented for consideration at the December meeting.

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

W. L. Anderson
Vice Chairman

Kenneth W. Daniels
Secretary

ACTIVITIES REPORT

October 13, 1969 - November 17, 1969

I.

A. CHARLOTTE COUNTY

1. The Grove City Realty Corporation request for approval by WCIND for dredging and material to be placed on owners' upland property was presented to WCIND Board at its October 13, 1969, meeting. As directed by the Board, Commissioner Barr of Charlotte County and the Director inspected the proposed dredging site and no objections are offered.
2. Mr. Stahl of Greiner Company, Inc., Engineers, was contacted by telephone November 12, 1969, by the Director to determine the progress being made on the SCL bridge plans and specifications. Mr. Stahl stated that, due to the new building code and a technical problem, his estimated completion date would be approximately thirty days late; now due in January, 1970.
3. Litigation for C-17A, C-20, C-21, C-29, and C-29A starts November 18, 1969, in Punta Gorda.
4. Archie B. Brown, Surveys, was engaged to mark off property in litigation.

B. SARASOTA COUNTY

1. Telephoned inquiry on November 12, 1969, to Sarasota County Planning & Zoning Commission in reference to WCIND request for rezoning Sarasota County Spoil Areas to G-2 (Governmental use) revealed that WCIND's request was to be considered at the Zoning Commission meeting on November 13, 1969.
2. Request for Spoil, S/A S3-4 - A verbal request was received from Mr. Bud Davis, Sarasota Water and Navigation Control, and Mr. Hunt, Sarasota County Engineering Department, for negotiations for the spoil located on Spoil Area S3-4. The Director suggested the proposal be presented to the WCIND Board through Commissioner Larry Rhodes, Sarasota County.
3. H. L. Tomlinson Boat-basin Lease - This lease was re-accomplished with beginning date of January, 1970, and it includes specifications required by the Corps of Engineers. The lease was handcarried to the CE, Jacksonville, November 7, 1969.
4. Sale of Spoil, S/A S3-4 - Payment in the amount of \$4,545.75 was received from Mr. H. O. Hanchey (B & J Dragline Service) which represents payment for 58,000 cu. yds. at 25¢ per cu. yd., plus \$225 for survey fee. A request was made of Sarasota County for a survey to be performed by the County Engineer.

5. In accordance with Board action of October meeting, a new resolution was made (No. 69-14) to replace resolution (No. 69-5) to effect desired swap of easements between Mr. Gibbs and the West Coast Inland Navigation District.

6. Fisherman's Wharf Restaurant - Letter was received in response to Mr. Dye's letter of November 5, 1969, which advised the owner, Mr. Ben Dunn, of WCIND Board's decision and the instructions to Mr. Dye. The response from Mr. Dunn's attorney requested documentation of WCIND's ownership of property.

C. PINELLAS COUNTY

1. Proposed Spoil Area P-33 - Two visits to Mr. Murat B. Young on October 30 and November 6, 1969, by Mr. Gilbert Smith and the Director, were made to negotiate acquisition of P-33. Two alternatives have been proposed to the Corps of Engineers by the Director with a request for early consideration and advice.