

A special meeting of the WEST COAST INLAND NAVIGATION DISTRICT COMMISSIONERS was held at noon March 5, 1962 at the Manatee County Office Building.

Present were:

- Ellsworth G. Simmons, Chairman, Hillsborough County
- H.H. Anger, Vice-chairman, Charlotte County
- A.L. Anderson, Secretary, Pinellas County
- Elmer Bustle, Treasurer, Manatee County
- Mack H. Jones, Lee County
- Warren S. Henderson, Sarasota County

- George Kumpe, Executive Director
- Joe K. Merrin, Engineer
- Dewey A. Dye, Jr., General Counsel

Absent: J. Hardin Peterson, Sr., Special Counsel

The Chairman called the meeting to order at 12 o'clock and expressed appreciation for the members arranging their schedules to attend the meeting.

Commissioner Henderson was asked to read Sarasota resolution No. 61-217 recently passed by the Board of County Commissioners expressing their intention to pledge their total bonding authority of \$750,000 to the construction of the Albee bridge now and Manasota Key bridge when needed.

Chairman Simmons said that in passing the resolution Sarasota County Commissioners had acted in good faith and confidence with the project. The County will not have funds available until a bond issue is sold, and the State Road Department must have the funds available to permit advertising for reconstruction of the Albee Bridge. Accordingly, the special meeting had been called to ask the Navigation

District Commissioners to consider a resolution making funds now in WCIND time deposits available to permit advertising. Mr. Dye read the proposed resolution.

Commissioner Henderson moved the adoption of the resolution and Commissioner Anger seconded it but with the addition of "with the proper signing of all agreements with Sarasota County and the State Road Department before the money can be released."

Commissioner Anderson expressed his opinion that Sarasota County's resolution was a statement of intent only and that WCIND should not make its funds available to the Road Department until a commitment was received that Sarasota County would pay half the cost of the bridge. Chairman Simmons said that the attorney for the Development Commission, the Road Department and the Director of Revenue Projects had stated that Sarasota's resolution was in the proper form to get the bridge project started. Due to the time element it was felt that the proposed resolution was proper in the sequence of action required; Sarasota's resolution is based on WCIND cooperating with them. The final step would be a three-way agreement wherein Sarasota County and the Navigation District Board would ask the road department to act as their contractual agent in construction of the Albee bridge; this agreement to be signed March 7th.

It was the concensus that the monies should not be released until an agreement was received from Sarasota County committing \$325,000, half the estimated cost of the Albee bridge. It was suggested by Mr. Dye that the resolution be authorized so that

processing can start, but that delivery be withheld until the three-way agreement between Sarasota County, the State Road Department and WCIND has been completed.

. Commissioner Henderson withdrew his motion and Mr. Dye read a proposed paragraph to be inserted in the resolution to the effect that the resolution would not become effective until pending three-way agreement between the State Road Department, Sarasota County and the West Coast Inland Navigation District has been duly executed by all parties.

Commissioner Henderson moved the adoption of the resolution <sup>(amended to WCIND minutes page 332)</sup> as previously written with the addition of the paragraph read by Mr. Dye and authorizing the Chairman to sign same. The motion was seconded by Commissioner Anger and carried.

The Chairman pointed out that should the bridge actually cost more than the estimate the Navigation District would have to pay the difference as Sarasota County has promised all the funds available to them.


The Board authorized the Chairman to sign the proposed three-way agreement upon its presentation to him based upon the same being approved by Attorneys Dye and Smith that its content is substantially the words and figures discussed at this meeting.


Due to the fact that all these agreements had had to be completed during this present week, Chairman Simmons had instructed Mr. Dye to get additional legal assistance if necessary. Mr. Gilbert Smith of Bradenton, recently retired

from the legal staff of the State Road Department, had been retained. Commissioner Anderson made a motion that Chairman Simmons' action be approved, Mr. Smith to assist during the next few days in matters pertaining to the WCIND, compensation to be based upon compensation being received for comparable work in Manatee County. The motion carried.

Mr. Dye sought the Board's reaction to several cost items Navigation District might have to handle on the Zimm, Best, Rasmussen and Hoehl properties, discussed at the Feb. 26th meeting. These are necessary spoil areas and the District would be paying these costs in order to get to use the areas. Board members were of the opinion that reasonable estimates of the costs would be approved for payment. Chairman Simmons noted that such costs should be agreed to in the negotiations with the owner, with necessary diking to be done by the owner rather than the District.

There being no further business the meeting adjourned at 1:05 P.M.

  
Chairman

  
Secretary