

The monthly board meeting of the Board of Commissioners, WEST COAST INLAND NAVIGATION DISTRICT, was held June 23, 1980, in Sarasota County Property Appraiser's Conference Room, Sarasota.

Present were: Larry Rhodes, Chairman, Sarasota County  
 Arnold F. Schade, Vice Chairman, Charlotte County  
 L. H. Fortson, Treasurer, Manatee County  
 Roland Roberts, Alternate, Lee County  
 Franz H. Ross, Alternate, Charlotte County  
 J. D. Neville, Alternate, Sarasota County

Charles E. Furbee, Executive Director  
 Philip E. Perrey, Associate Counsel

Absent were: R. Douglas Taylor, Secretary, Lee County  
 Dewey A. Dye, Jr., WCIND Counsel

Guest: Attorney Tom R. Moore, representing  
 Crystal Beach Conservation & Development  
 Associates, Clearwater, Florida.

#### ADMINISTRATION

The meeting convened at 10:40 a.m.

Minutes of April 28, 1980 monthly board meeting were approved as read. There was no board meeting for the month of May.

Treasurer's Reports, April 30, 1980 and May 31, 1980, were approved as presented. The current vouchers for May 19, 1980, #1967-1996; and for June 23, 1980, #1997-2025 were approved for payment.

The WCIND proposed budget FY ending September 30, 1981 which was approved by the Board April 28, 1980 was submitted to the Governor and State Cabinet for approval. The Director reported today that this budget has been approved as of the June 17, 1980 Cabinet meeting with confirmation to be received. Upon receipt, WCIND will forward letters with 1980-81 millage resolution No. 80-02 to the respective Counties, Manatee, Sarasota, Charlotte and Lee.

DNR, Bureau of Beaches and Shores Erosion Control Trust Fund form was received here with deadline date July 15, 1980. Discussion followed for active support to be given by WCIND along with the Counties, this cooperation to be considered the best avenue for presentations other than going to the State delegation members. The Director will contact WCIND Commissioners.

Federal Navigation Projects, Florida Territorial Waters, deals with Permitting Problems. The following is a quote from Colonel Adams, District Engineer, Corps of Engineers, Jacksonville District, to the Governor (letter dated April 16, 1980, page (2), re C.W. projects)

..."Under Federal law the Corps has defined responsibilities for maintaining Federal navigable waters and assuring freedom of navigation. Lacking permits and/or funds to perform maintenance dredging and recognizing Florida's ownership as property of the material constituting the bottom of waterways,

WCIND OFFICERS AND COMMISSIONERS

Sarasota County  
LARRY RHODES  
Chairman  
Court House  
Sarasota, Florida 33578

Charlotte County  
ARNOLD F. SCHADE  
Vice Chairman  
Court House  
Punta Gorda, Florida 33950

Lee County  
R. DOUGLAS TAYLOR  
Secretary  
Court House  
Fort Myers, Florida 33902

Manatee County  
L.H. FORTSON, JR.  
Treasurer  
Court House  
Bradenton, Florida 33505

STAFF  
CHARLES E. FURBEE  
Executive Director  
P.O. Box 3827  
Sarasota, Florida 33578

DEWEY A. DYE, JR.  
General Counsel  
P.O. Box 9480  
Bradenton, Florida 33506

WEST COAST  
INLAND NAVIGATION DISTRICT

A Special Tax District of the State of Florida

P. O. Box 3827  
SARASOTA, FLORIDA 33578

Rooms 254-255  
Sarasota County Administration Center  
2002 Ringling Blvd.  
Telephone (813) 953-5313

June 30, 1980

MEMORANDUM TO: W.C.I.N.D. COMMISSIONERS:  
Commissioner L. H. Fortson, Manatee County  
Commissioner Larry Rhodes, Sarasota County  
Commissioner Arnold F. Schade, Charlotte County  
Commissioner R. Douglas Taylor, Lee County

RE: W.C.I.N.D. Board Meeting Minutes,  
June 23, 1980; Correction.

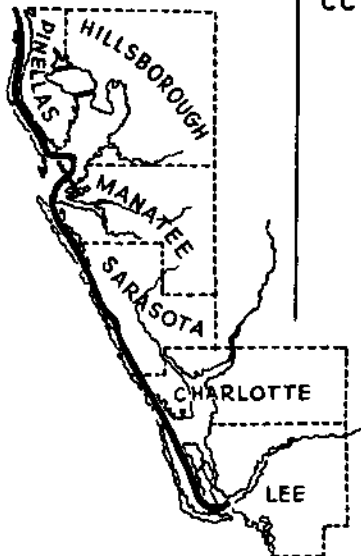
Please note these minutes of June 23, 1980 and mailed to you last week. Attached herewith is a corrected minutes page 2, paragraph 2, beginning line 5, \*\*\*,for your approval. It is requested that this page 2 be inserted for your record.



CEF:eh

Attachment

cc: Attorney Dewey A. Dye, Jr., W.C.I.N.D. Counsel  
Commissioner Roland Roberts, Alternate for  
Commissioner R. Douglas Taylor.



INTRACOASTAL WATERWAY FROM FORT MYERS TO TARPON SPRINGS  
AS PART OF THE NATIONAL INTRACOASTAL WATERWAY SYSTEM

under the provisions of 33 U.S. Code 403 I could soon be compelled to direct the State of Florida to remove its property in the form of shoals which obstruct navigation. In such instances the total cost of dredging would be borne by the State."

These permitting problems are to be considered at the next State Legislative session. A folder, containing cc of DER Ltr. 11/29/79 to Col. Adams, the Ltr. of 4/16/80 to Governor Graham, and the Corps of Engineers 5/15/80 presentation to the Florida Environmental Regulatory Commission, is submitted today to Board members for County study.

Discussion followed dealing with the Governor's Charlotte Harbor Committee, re a listing of organizations having jurisdiction over the Charlotte Harbor. Commr. Neville stated that the Governor should be made aware of the WCIND operating power. \* Commr. Schade stated that since preservation of water quality is a primary \* objective, with the Peace river, Myaaka river, and other tributaries flowing \* into Charlotte Harbor from other Counties, these Counties must be considered; and the question is - who has governing authority, to be asked of the Governor. Lee County Commissioner Roberts, a member of the Charlotte Harbor Committee, stated that a presentation of needs will be given to the Governor for his direction. Commr. Neville moved that the Director be instructed to write the WCIND letter and signed by the Chairman re the Charlotte Harbor Committee; the motion was seconded and carried.

WCIND Waterway Guide Maps The Director reported on his visit to the C.E. Jacksonville District office re the need for a new map. It was suggested to review the FIND guide map for composition and manner, and the C.E. recommended that WCIND get the material and the C.E. will design; the WCIND will pay for the printing. With the Corps of Engineers' help, WCIND can accomplish a new map with new items of Florida navigational aids, photos, and sites in the WCIND area. Commr. Fortson moved to authorize the WCIND new map work and WCIND costs; the motion was seconded and carried.

## ACTIVITIES REPORT

### Lee County

Feasibility Study (Port Boca Grande) WCIND received 6/11/80 letter from Lee County Div. of Community Development with request that "WCIND give its letter of support for application (federal funding), Water Resources Development - Study, Status; New Proposal." Other needs in the surrounding area are oil for generating plant east of Ft. Myers. The plan is to develop the port for shallow draft boats servicing the area, as stated in the application. Commr. Schade, for Charlotte County, stated that Charlotte County has gone on record against these present plans. Commr. Roberts stated Federal and State people will not support the carving up of the area, this is to really be a feasibility study for a Port Boca Grande and not a Charlotte Harbor industrial complex. Commr. Neville questioned what Charlotte County may or not gain. Commr. Schade stated that Charlotte County is opposed to any development there - he will have to vote "no". Chairman Rhodes suggested that the Board not vote on this request but that WCIND request both Counties to make some further considerations. Commr. Roberts stated that if the Port is

under the provisions of 33 U.S. Code 403 I could soon be compelled to direct the State of Florida to remove its property in the form of shoals which obstruct navigation. In such instances the total cost of dredging would be borne by the State."

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closed down, it may be a disservice to the area. A presentation should be made for this purpose and to hold over for next month.

### Charlotte County

Stump Pass Project Commr. Schade reported that fines and penalties are presently being charged the Norfolk Dredging Company which is working at top effort to complete the job at Naples, Florida, so that the Company can move to Stump Pass. Charlotte County has had the money in the bank since February, making a benefit there. The Director reported that 40,000 cu. yds. is still to go and Norfolk Dredging has until August 24, 1980 to complete Stump Pass project.

### Sarasota County

Public Boat Ramp and Dock The area is west side of IWW and north of Blackburn Point Road where Sarasota County has a public park and it plans to construct a new dock - far enough from Centerline Cut. This is to report on Sarasota County request by Ralph Davis, and WCIND authorization was previously given.

Private Dock Application (Little Sarasota Bay) This relates to the WCIND R/W and would extend which violates the 100-Ft. centerline cut. If not given by WCIND, further dredging is needed and then to go through the permit application procedures. Commr. Schade stated his answer to be "no". Board's answer was "no."

### Pinellas County

Litigation Status Attorney Moore, Clearwater, reported to the Board that last Tuesday, June 17, the 3 to 1 vote approval of site plan and given by the Planning Commission; if Pinellas County Planning Council does same, then this matter will be complete and favorable to WCIND; this meeting is scheduled for middle of July. Following a site inspection of the Crystal Beach property with Mr. Moore, the Clearwater Sun's editorial recommended County approval of the site plan and the Land Use Plan. Payment for the Crystal Beach property is to be in accordance with the "Cash Flow Schedule to WCIND" with an additional \$50,000 @ 8% added to the principal. Mr. Moore presented to the Board the possibility to get the WCIND to settle the tax suit with Pinellas County with dropping the zoning suit; the second suit was the Duenas suit, re vacating the neighboring plat, and this to be dropped if Planning and Zoning approve the land use plan, which was decided last Tuesday. Now, there is no final judgment by the County Judge until July and this is thought to be in favor of WCIND. Re the tax suit by the WCIND, \$60,000, prorated share and cost of the property, \$75,000 estimated. Mr. Moore stated there are still some bothersome issues and has proposed that a \$50,000 note to WCIND - to be paid same as the cash flow schedule. The settlement of Tax Suit against Pinellas County will improve the probability of the County's O.K. for the Site Plan of the Crystal Beach Property. Commr. Schade asked if this was to be publicly announced; Attorney Moore reported that this was stated at the Pinellas County meeting. The Director then

noted for the record that the Pinellas County contribution (for a five year period) was about 28% of the WCIND revenue.

WCIND Associate Counsel, Mr. Perrey, stated for Board record that WCIND Counsel Dye and he have discussed this matter and agree that it is a good idea to settle this case re \$60,000 and \$14,700 that Pinellas County owes WCIND; there is one thing, whether Pinellas County could come back and demand the 28% of WCIND assets.

Attorney Moore stated that he is convinced that Pinellas County wants to get rid of the law suit.

Commr. Schade moved that WCIND authorize the WCIND Attorney to negotiate for a settlement prior to Pinellas County's July meeting of Pinellas County Planning Council and that the WCIND Chairman be authorized to sign the settlement for WCIND; the motion was then seconded and carried.

ICC CASE - Port Abandonment - Mr. Perrey reported on receipt of the Counties' resolutions (on Port Boca Grande Abandonment by the SCL R.R.) and thanked the Board members. The procedure of plan is now to be appealed, the Certificate of Abandonment may go on until 1981-82.

BAMCO Suit - Dock Litigation The WCIND will argue against the appeal made by Bamco.

The ACTIVITIES REPORT was accepted as presented.

ANNOUNCEMENTS

NEXT MEETING DATE: Monday, July 28, 1980 was agreed for the regular monthly meeting and the place to be announced as agreed by members.

National Waterways Conference, Tulsa, Oklahoma, September 17 - 19. Commr. Schade moved that members and staff be authorized to attend at WCIND expense; motion was seconded and carried.

The meeting adjourned at 12:15 p.m.



Assistant Secretary

  
Chairman