

The monthly board meeting of the Board of Commissioners, WEST COAST INLAND NAVIGATION DISTRICT, was held April 24, 1981, at the South County Annex, Sarasota County, Venice, Florida.

Present were:

Commissioner Joseph A. Tringali, Chairman, Charlotte County  
 Commissioner Ernest Averill, Secretary, Lee County  
 Commissioner Westwood H. Fletcher, Treasurer, Manatee County  
 Commissioner Franz H. Ross, Alternate Member, Charlotte County

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

Absent was: Commissioner Jerry L. Hente, Vice Chairman

Guest: Arnold F. Schade, former Commissioner, Charlotte County

ADMINISTRATION

The meeting convened at 10:30 a.m. with Chairman Tringali presiding.

Minutes of March 27, 1981 regular board meeting were approved as was presented.

Treasurer's Report, March 31, 1981, was approved as presented. The Vouchers for current bills, April 24, 1981, #2290 through #2319 were approved for payment, including the voucher #2290, dated April 1, 1981, for \$45,000 to Sarasota County Commission as authorized March 27, 1981, for the Sarasota County Bay Circulation Study.

WCIND Proposed Budget, FY 1981 - 1982 The Director reported on the recent telephoned request from Dr. Gissendanner, DNR Executive Director, for submission of FY 1981-82 budget for his staff to prepare and submit budgets to the Cabinet in June. Copies were submitted today for the WCIND members and the Director presented the summary of projected revenues and expenditures with estimated balance of funds at FY ending September 30, 1982 \$283,300. (Included in Schedule C, Capital Acquisitions Program, for the Stump Pass local co-sponsorship project \$25,000 for maintenance.) Total projected for Local Sponsorship Projects are Big Sarasota Pass (Sarasota County) \$55,000 and the Stump Pass Maintenance (Charlotte County) \$25,000. The estimated Ad Valorem Tax \$83,000 from the four County members reflects proposed 20% reduction in millage from the current 1/100th mill to be reduced to 8/1000th of a mill. There are no local projects pending for FY 1981-82. The State's TRIM Bill must also be considered this year. Also, WCIND received letter from U.S. Coast Guard Cmdr. Jackson, #87 USCGAUX, Englewood, citing the necessity of maintenance of the current problems in the Stump Pass, since the Coast Guard states it has no funds or authority for such activity. The Director reported that maintenance will have to be done; 1) batteries to be replaced and 2) the need for Coastal Engineering to monitor the Pass; the WCIND does not have the capability to accomplish same. This is a house-keeping need. The STUMP PASS project originally was asked for by Charlotte County; now, the real question is:

"Who really owns this area and who will do the work?"

The Chairman questioned about payment for monitoring services and the Director stated that it was his understanding, the Engineering firm has met all contract items per the contract with Charlotte County.

Chairman Tringali referred to the WCIND request to Corps of Engineers for the designated Passes' incorporation into the IWW. Charlotte County initiated the Stump Pass project; it is important now to take some action re the maintenance; the question, "Whom does this belong to?" The Director referred to the State's TRIM Bill and the proposed budget to be submitted to DNR. This proposed budget can be amended at the time when the TRIM Bill is ready.

Commr. Averill stated that there is the question of timing, i.e. for the WCIND recommendation for FY 1981-82. He moved to accept the proposed budget, to be subject to further review; motion seconded & carried.

INTRODUCTION OF GUEST

The Chairman welcomed former Commr. Schade, Charlotte County, to meeting.

ACTIVITIES REPORT

Charlotte County:

Stump Pass Finance - Status The Director reviewed past history from 1979 to the present date, with Charlotte County and the WCIND co-sponsors. The State, Bureau of Beaches and Shores, DNR, provided 75% of the project funds and 25% was local sponsors' portion of cost. Years past, former Charlotte County Commissioner on WCIND board, Mrs. Dorothy Flowers, had asked the WCIND for support of a Stump Pass project and WCIND did so. The State contributed \$301,208 as 75% of estimated cost. But the State only approved certain costs in total billing. The State warrant for \$301,208 was handcarried to Charlotte County February 1, 1980; interest was accrued as recorded in Charlotte County. WCIND had paid \$67,217.00 to Charlotte County same date, as the WCIND local share. As of March, 1981, the amount due State, excess of Grant funds \$56,028.50 from sponsors (Charlotte County and WCIND) plus the \$32,632.90 interest earned which is to be returned by Charlotte County. The \$56,028.50 is for engineering and monitoring the project. The Director referred members to the original agreement, copy of which was provided Charlotte County Commission February 1, 1980, by mail. Charlotte County has no funds in its budget for the project. The Director reported that he discussed the problem with State Beaches and Shores personnel before he sends the WCIND letter as authorized March 27; and, as a result of continuing effort, \$20,000 in funds was accomplished. There is no letter prepared to date until further progress is made re open charges. The Director requested the Board to allow him another chance to contact the DNR. State Legislators are to be so advised of the Stump Pass problem and Representative Bafalis is to be contacted by Charlotte County for his assistance as he endorsed the Gulf Coast Inlet Study. Commr Ross next addressed the Board to report that the interest fund, \$32,385 had been expended on the basis of allowance per contract; now it is understood that this can not be done. He suggested that to let WCIND pursue this problem via a pleading to the State according to the proposed letter to State. The Director reported, re the letter, that State Bureau Beaches and Shores personnel has reacted to say that WCIND would be asking of Dr. Gissendanner to break the law. Today, we have an impasse: the Charlotte County Commission will not contribute to the project and the WCIND has contributed its pledged funds.

Commr. Ross suggested that Charlotte County should return \$67,217.00 to WCIND and the WCIND pay the State \$88,607.00, total due the State.

There are two (2) contracts: one with the State; and another with Engineering and Monitoring. Commr. Ross stated that for bottom line, funds to be received from WCIND is the \$54,224.00.

The Director recommended that the Board hold up until the WCIND efforts to the State is accomplished for request of "forgiveness of difference of funds". Chairman Tringali addressed the members to state that WCIND should attempt to whittle down funds still due in its discussion with State DNR personnel; then, Charlotte County and the WCIND, co-sponsors, make a joint report on this project problem. Commr. Averill moved that this Board action be taken; the motion was seconded and carried.

Pinellas County

Crystal Beach Lot Release Request Counsel Perrey reviewed platting of the lots as shown in the exhibit today; 27 Gulf-side lots @ \$33,000, 22 Gulf-view Finger Lots @ \$16,500, 9 Lakeside Lots @ \$16,000, 4 Bayou Lots @ \$15,000, and there are 26 acres for multi-family lots. Sales of these multi-family lots will bring the WCIND \$240,000. Attorney Perrey stated that there are three notes and mortgages totaling \$1,569,624 owing to the WCIND per contract. This is the information today of release schedule; the contract also calls for WCIND to give release R/W for the roads, sewers, etc., for this property. Commr. Fletcher moved for execution by Chairman Tringali for the lot releases, and partial releases for roadways, etc., as described; the motion was seconded and carried. First principal payment for the Crystal Beach property is due in March, 1983.

Sarasota County

Spoil Area S3-3 The Director reported on the Corps of Engineers' reply to the WCIND request for release of the two acres in S3-3 for State HRS. The request was denied as the C.E. stated it may need this property for future use; this being valuable property rights, and the WCIND need for obtaining easements to be held by C.E. Mr. Samford has been advised.

The ACTIVITIES REPORT was accepted as presented.

NEW BUSINESS

WCIND Proposed Legislation Attorney Perrey reported on current status for proposed change for Florida Law, Chapter 374. Local State Representatives have been contacted by Counsel for assistance in support and introduction of this Bill for the House. This proposed legislation has been introduced in the Senate by Senator Henderson. Representative Haben does not favor introducing since he is current Speaker; Rep. Shackelford does not favor doing so at this time since he is working on the State phosphate problem re the DNR. It is suggested that WCIND contact Representative Mann since it is necessary this Bill be introduced in House. Commr. Averill stated that his understanding, as an elected official, was that WCIND, as a special tax district, was in control; if the WCIND is under State supervision and its jurisdiction, then he does not wish to be involved as a representative from Lee County Commission. If WCIND is to have the change in Chapt. 374, then Representative Mann should be contacted for the District efforts. Commr. Averill recommended that the

Board have the Director follow through and be in Tallahassee for this legislation. The Director stated the importance of this proposed legislation and he agreed with Commr. Averill that as elected officials the Commissioners have assigned duties for this District (WCIND). The WCIND came up with the current proposed budget for FY 1981-1982 as a courtesy to Dr. Gissendanner. The DNR makes no difference in DNR control and supervision when the WCIND gets into trouble; or, when the WCIND gets into a lawsuit with the DER.

Commr. Fletcher moved that Representative Mann be contacted for the introducing of proposed bill in the House; that the Director and Commr. Averill be authorized to travel to Tallahassee for assistance with this proposed bill at the WCIND expense; the motion was seconded and carried.

NEXT BOARD MEETING DATE

Recommendation was made that the Board schedule its next regular meeting for Friday, June 26, 1981; place to be announced. The Board members concurred for this date, Friday, June 26, 1981.

The meeting adjourned at 12:30 P.M.

  
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Secretary

  
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Chairman