

The June meeting of the Board of Commissioners, WEST COAST INLAND NAVIGATION DISTRICT, was held June 9, 1975, in Sarasota County Administration Building, Sarasota, Florida

Present were: Dan P. McClure, Chairman, Manatee County
Larry Rhodes, Treasurer, Sarasota County
George A. Goldtrap, Jr., Lee County
Marion F. Reager, Charlotte County

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

Absent were: Dorothy R. Flowers, Vice Chairman, Charlotte County
Elizabeth B. Castor, Secretary, Hillsborough County
Don Jones, Pinellas County

ADMINISTRATION

The meeting convened at 10:30 a.m.

The Chairman welcomed Commissioner Marion F. Reager who was attending this meeting in the absence of Commissioner Flowers who is ill and unable to attend today.

Minutes of April 21, 1975 regular board meeting were approved as presented. The May, 1975 board meeting was canceled.

The Treasurer's Report for the month of April and for the month of May, 1975, were approved as presented. A \$50,000 certificate of deposit was placed with Manasota Bank in May. Vouchers #117 through #143 for May, 1975; and Vouchers #144 through #173 for June, 1975, were approved for payment.

WCIND Resolution No. 75-03 authorizing FY 1975-76 Tax Millage was submitted for board consideration and was adopted unanimously. The millage established by the WCIND for 1975-76 is 00.005 mill. Copies of this Resolution No. 75-03 will be furnished to the respective Board of County Commissioners in each of the said counties of WCIND and for the State Comptroller.

ACTIVITIES REPORT

Sarasota County

Sarasota County Resolution - This is a request to the Corps of Engineers to dredge Big Pass. The location for the project is between Lido and Siesta Keys. Project approval by the C.E. will depend first on a local sponsor to provide funds. It is not an authorized channel in the IWW. Mr. Dye referred to Section 107, authorization law, and for the requirement of funds by the local sponsor; then following this, WCIND may be a co-sponsor if requested by the local sponsor. Commr. Rhodes moved that the board request of the Corps of Engineers, that a study be made for this project as a navigable channel; motion was then seconded by Commr. Reager and the motion carried.

Dr. Lovall & Mr. Sou Chan Request for Claim - Mr. Dye referred to his written opinion presented to the board March 19, 1975. The claimants have retained counsel, L. Howard Payne, who outlined their case in letter of May 28, 1975, to Mr. Dye (copy supplied to members).

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Attorney Payne also submitted with his letter a bid by B & J Dragline, Inc., for leveling the property of material dredged during construction of IWW here. WCIND Counsel reported that the easement requirement was in effect until January, 1963; no question had been submitted to WCIND. The board agreed that Mr. Dye will explore the legal questions as was cited in Attorney Payne's letter and will report back to the board.

Whittaker Lonsdale - Casey Key Property Owner's Request - This request was deferred for further consideration along with the claim made by Dr. Lovall and Mr. Sou Chan when Mr. Dye makes his report.

Venice-North Jetty Access Easement - The Corps of Engineers has required a statement from Sarasota County confirming the County's access rights to the North Venice Jetty. Sarasota County Attorney, R.E. Nelson, submitted to the C.E. Real Estate Division on April 4, 1975 a copy of final decree which confirms the County prescriptive rights and does assure public access to North Venice Jetty. Copy was furnished to WCIND.

Sarasota County School Board Request - Request to WCIND calls for permission to construct a permanent road, on bed of haul road, on the westerly edge of the WCIND right-of-way for the purpose of a relief road for school activities; and also refers to the WCIND permit which allows for removal of spoil material previously deposited on School Board land. A print of the current Master Plan showing the proposed traffic relief road along the canal but within the School Board property was submitted to WCIND. It is planned to leave the present link fence along this property boundary and construct an approved guard rail along the east side of the road along the waterway. Mr. John D. Friday, Supervisor of Facilities Planning, made the request for Sarasota County School Board in letter dated May 20, 1975. The Director recommended that this request be forwarded to the C.E. since IWW rights were conveyed to the U.S. Government by WCIND. Commr. Rhodes stated his approval of the School Board's request and he then requested that WCIND recommend this request to the C.E. that the School Board use this piece of property. Mr. Dye reported that WCIND had paid a good amount for this property originally and to relinquish the property would reduce the WCIND R/W by 24 feet. He then stated that WCIND might ask the School Board for a fee simple title for another small strip on the other side of the waterway for which the Sarasota County School Board has no use; this could be a way of working out some solution to the School Board request. The Chairman requested the board to refer this matter to Commr. Rhodes, Mr. Dye, and the Director for their review. Commr. Goldtrap questioned the exchange of monies made between the governmental bodies: who is spending whose monies for what purpose and the value of the property. The board agreed to await the review and recommendation to be submitted at the next board meeting.

Pinellas County

St. Joseph Sound Project Report - The Corps of Engineers funding for this dredging project in Pinellas County was reviewed; the WCIND contributed the amount of \$301,000 to the C.E. for the Crystal Beach area project. A draft in pamphlet form of the C.E. Impact Statement was exhibited to the board, with the C.E. Counsel advice that the C.E. will go ahead with due course. Mr. Dye stated that whatever action

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is decided, it will be some time in the future. A resolution was submitted which states the WCIND concern to the Corps of Engineers over the lack of proper maintenance of the area to be dredged by the C.E. and also expresses WCIND confidence and support for the C.E. plans for future action. Commr. Rhodes moved that resolution No. 75-04 be adopted; the motion was seconded and the motion carried. The Director then briefed the board of recent inquiry to WCIND concerning the sale of the Crystal Beach dredging site property by owners for \$1,275,000. The Corps of Engineers had originally asked the WCIND for 100 acres for a spoil area in this surrounding area. The Chairman stated this information should be also presented to Commr. Don Jones. No action was taken.

The ACTIVITIES REPORT was accepted as presented.

ANNOUNCEMENTS

Okeechobee Waterway Association - WCIND received letter from the Ass'n stating concern over the waterway Use Tax as proposed and the Ass'n declares such fees are discriminatory; the Association also requests support for its pleas against the Use Tax as proposed. The Director recommends WCIND support. The Chairman stated that he will be unable to attend the Water Resources Conference to be held in Washington, D.C. June 15-17 but urged that this board have all possible representation. Commr. Goldtrap expressed his objection to the lock fees for the Okeechobee Waterway. Commr. Rhodes moved that members and staff be authorized to attend the WATER RESOURCES CONGRESS June 15-17 annual meeting; the motion was seconded and carried. There will be a breakfast scheduled for the Florida delegation. The Chairman will also urge Commrs. Castor and Jones to attend this Conference if possible.

The Director reported on receipt of letter of acknowledgment from Colonel Lee, Jacksonville District Corps of Engineers, for the WCIND resolution presented to Colonel Lee for his support and for the assistance given to WCIND.

NEXT MEETING DATE - The board agreed to a tentative date of Monday, July 21 for the July board meeting; if this proves not to be feasible, then July 14 date.

Commr. Goldtrap announced that he has entered his suit against the Governor and Ethics Committee re the current disclosure law for reporting financial status; Commr. Goldtrap is asking that this law be declared unconstitutional.

The meeting adjourned at 11:30 a.m.



 Asst Secretary



 Chairman