

The August meeting of the Board of Commissioners, WEST COAST INLAND NAVIGATION DISTRICT, was held August 18, 1975, in Sarasota County Administration Building, Sarasota, Florida.

Present were: Dan P. McClure, Chairman, Manatee County
Dorothy R. Flowers, Vice Chairman, Charlotte County
Larry Rhodes, Treasurer, Sarasota County
George A. Goldtrap, Jr., Lee County
Don Jones, Pinellas County

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

Absent was: Elizabeth B. Castor, Secretary, Hillsborough County

ADMINISTRATION

The meeting convened at 10:30 a.m.

The Chairman welcomed back to the Board Charlotte County Commissioner Flowers, Vice Chairman, from her recent illness. The Chairman noted that all board members were present with the exception of Commissioner Castor, Secretary, Hillsborough County.

Minutes of June 9, 1975 regular board meeting were approved as presented. The July, 1975 board meeting was canceled.

The Treasurer's Reports for the month of June, and for the month of July, 1975 were approved as presented. Certificates of Deposit were purchased July 30: \$100,000 - Manasota Bank; \$100,000 - First National Bank of Venice; and \$100,000 - Barnett Bayshore State Bank; with the receipt of Corps of Engineers reimbursement of funds to WCIND, U.S. Treasury check for \$301,000, funds which had been requisitioned for the diking costs of the planned St. Joseph Sound maintenance project which is now awaiting appeal.

Vouchers #174 through #203 for July, 1975; and #204 through #231 for August, 1975 were approved for payment.

FY 1975-76 Staff Request The Director submitted request of five percent salary increase, as provided in WCIND budget, for the WCIND secretary-bookkeeper, Mrs. Happich. This request was considered along with the State Retirement System funds of four percent no longer to be collected from employees as of October 1, 1975. The Chairman noted that the WCIND Counties are in the process of resolving employee salary considerations. Commr. Goldtrap moved that the Board hold the request in abeyance until further information is available concerning the Counties' decisions; the motion was seconded and carried. The Director then submitted his request for a WCIND car lease in lieu of any salary increase consideration; the expense of car lease can be met in accordance with the approved budgeted expense for FY 1975-76. This request is in consideration of the Counties' leased auto unit program. Commr. Rhodes suggested that Commr. Jones review the WCIND insurance coverages restrictions. Upon the recommendation of the Chairman that the Board consider the similar lease plan of Sarasota County, Commr. Rhodes moved that the

Board authorize the Director to lease one auto under the Sarasota County contract for a trial basis, for \$150 per month; the motion was seconded and carried.

HEARING OF INDIVIDUALS

Mr. Lee E. Haworth, Attorney, appeared before the Board to present the plea of his clients Dr. Lovall and Mr. Sou Chan who submitted a claim of damage to their property during construction of the waterway in the Casey Key area. The plea statement reviewed the damage of placement of spoil on owners' property, and the owners' understanding that the property would be leveled properly by WCIND. WCIND Counsel, Mr. Dye, again referred to his written opinion presented to the Board on March 19, 1975, with the easement requirement stated in effect until January, 1963. No question or request for land leveling was received by WCIND until 1974. Mr. Dye reported that inspection of the area showed the property has since been covered with growth of Australian pine trees. Mr. Whittaker Lonsdale, neighboring owner, has also come to WCIND to make a claim for WCIND TO CLEAN SILT FROM HIS BOAT BASIN ALONG THE TWO PROPERTY LINES. Also, it was reported that there is a vast amount of fill deposit on the owners' land which is of value. Basically, the claim is barred because of the statute of limitations. WCIND Counsel stated that during the time of construction there was a staff on hand to rectify complaints. Commr. Jones moved that the owners' request, made by Dr. Lovall and Mr. Sou Chan, be dismissed as having no claim against WCIND; the motion was seconded and carried.

ACTIVITIES REPORT

Charlotte County

Easement Request - Mr. Nelson Gilreath, Jr., submitted to the WCIND his request for easement across WCIND property to his property by boat. The Director reviewed the position of property in Palm Island Estates as was exhibited by chart. Commissioner Flowers stated that Charlotte County has no objection. The Director then recommended that the Board approve this easement request. Commr. Rhodes moved that the WCIND agreement be prepared by Counsel for the owner's use of the requested easement; motion was seconded and carried.

Sarasota County

Whittaker Lonsdale Claim - Casey Key - In answer to Commrs. Jones' and Rhodes' inquiries, Counsel Dye reported that basically the two Casey Key claims can be decided together even though the basic claim, Dr. Lovall and Mr. Sou Chan claim, was the first. Commr. Goldtrap moved that WCIND deny the request for claim; the motion was seconded and carried.

Sarasota County School Board Request - Mr. Dye reviewed the proposal that Sarasota County construct a permanent road on edge of WCIND right-of-way, for school activities, as presented at the June meeting. He reported that a fair swap of land there could be a way of resolving this need by Sarasota County, with Corps of Engineers' approval to be requested. Commr. Rhodes suggested that WCIND submit letter of its recommendation to the Corps of Engineers for their decision and made the motion for the Board to submit the letter; the motion was seconded and carried.

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Midnight Pass Area - The Director reported his attendance at a meeting recently where Sarasota County discussed plans to petition the Corps of Engineers to dredge this area along with request for a C.E. feasibility study, with Sarasota County the local sponsor. Commr. Jones moved that WCIND authorize its support to Sarasota County if the Sarasota County petitions the C.E. for a feasibility study, with Sarasota County local sponsor; motion was seconded and carried.

Vacation of "Old Tamiami Trail" - Mr. Dye presented the chart showing that only three property owners border the "Old Trail": WCIND, Vogel & Vacher, and Weller. He suggested that WCIND unite the WCIND areas together for maintenance spoil areas as a benefit to WCIND; that is, to join the two WCIND parcels together, and at the same time to clear up the title of the right-of-way history along this area. Commr. Jones stated that a dedicated road for the WCIND easement must be a surety before any further action concerning the "Old Trail" to be vacated. Commr. Rhodes stated that Sarasota County would have a public hearing before approval. The Chairman requested that prior to further action, WCIND Counsel and Commr. Rhodes study the proposal and report back to the Board. This was agreed.

MANATEE COUNTY

Longboat Pass Project Status - The Director reported on a letter received from Mr. Barnes, Corps of Engineers, Washington, D.C., which stated that their reply was being drafted to the C.E. in Jacksonville, for the C.E. to comply with all the environmental standards prior to the project's final approval being granted. Mr. Dye reports that the Washington, D.C. office appears to be "abundantly cautious", especially after the Crystal Beach case. The Chairman asked the Board the question of how does Manatee County, with the WCIND, meet with this hold-up since all the required information and approvals were presented by the C.E., Jacksonville? Mr. Dye answered that, perhaps, a delegation should go to Washington, D.C. Commr. Jones moved that the Board authorize the Chairman and WCIND Counsel to follow up on the project's progress with travel to Washington, D.C., C.E. Office to possibly strengthen the project's favorable release; motion was seconded and carried.

PINELLAS COUNTY

Lease Proposal by Seminole Boat Ramp - A five-foot dredging project is scheduled for this facility and a request is made to WCIND for use of property for placement of dredged material during the work being done. The Director recommended that the Board approve this request. Commr. Rhodes moved that the WCIND agreement be prepared by Counsel for this authorized use of WCIND property; the motion was seconded and carried.

St. Joseph Sound Project Status Report - WCIND Counsel reports that the C.E. feels that Judge Hodge's decision was wrong and there may be an appeal considered; it is not necessary for WCIND to join in the appeal with the Corps of Engineers. The C.E. Environmental Impact Statement may be given at the time during the C.E. appeal.

THE ACTIVITIES REPORT was accepted as presented.

ANNOUNCEMENTS

The Director recommended that Board members consider attending the 1975 annual meeting, National Waterways Conference, Inc., in New Orleans, September 28-30, 1975; the agenda will include the proposal for completing the "missing link", of the Gulf Intracoastal Waterway.

The Chairman stated that he received announcement of the annual meeting of Gulf Intracoastal Canal Association to be held in Brownsville, Texas, September 4-5, 1975.

Commr. Goldtrap moved that Board members and staff who may attend either or both meetings in September be authorized to attend at WCIND expense; the motion was seconded and carried.

LEE COUNTY - Request

Commr. Goldtrap requested the WCIND to recommend to the Corps of Engineers, Jacksonville District, to erect a Waterway sign in the Caloosahatchee river area. The Director agreed to contact Jacksonville District office for this request.

NEXT MEETING DATE

The members agreed to have the members poled for the best feasible date in September for the September Board meeting.

The meeting adjourned at 11:45 a.m.


Chairman


Genl. Secretary