

The December meeting of the Board of Commissioners, WEST COAST INLAND NAVIGATION DISTRICT, was held December 15, 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: Bob Lester, Hillsborough County

ADMINISTRATION

The meeting convened at 10:30 a.m.

The Chairman announced that Hillsborough County Board of Commissioners has appointed Commissioner Bob Lester to serve with the West Coast Inland Navigation District board for the coming year.

Minutes of November 17, 1975 regular board meeting were approved as presented.

The Treasurer's Report for November, 1975 was approved as was presented. Vouchers #353 through #385 for December were approved for payment.

Tax Refunds - WCIND pro rata share - The Director reported that the WCIND resolution No. 75-05 for resolving the required procedure had been received by the six County taxing authorities, and objections were stated. Two Counties have no question but there are four Counties who propose not to go along with the resolution requirement and they stated that either litigation or legislation will be necessary. One of the Counties will propose legislation; WCIND must wait for legislative results. The Board concurred to defer the matter until further direction is received.

HEARING OF INDIVIDUALS

Mr. Ernest Hesse, a director of the North Manasota Key Association, presented request that the WCIND retain the status of ownership in fee for the six Manasota Key lots declared as surplus by the Corps of Engineers and now are being included in the property appraisal for the property exchange proposal submitted for Sarasota and Pinellas Counties; re, the Pinellas County area of the IWW for the maintenance dredging project by the Corps of Engineers. Mr. Hesse questioned: "Why has not WCIND offered the property for sale before this time?" Mr. Dye stated the reason being mainly because of the Environmental Movement effect on property acquired in the past for the Corps of Engineers requirements. Mr. Dye stated the lack of utility of the property has to do with the EPA regulations which make open water disposal difficult if not impossible.

ACTIVITIES REPORT

Pinellas County

County Amendment Proposal - The County has undertaken a large, artificial reef project. Three old bridges will be dismantled and taken to the County location. The County is now interested in an area of WCIND R/W in Clearwater area for operating barges to take the material to the reef. The Director reported that they have changed the design for location, now going south for the dock along the lines of the old dock. Pinellas County Commission is in favor of this project. Commr. Rhodes moved that the WCIND negotiate with Pinellas County for the project design; motion was seconded and carried.

St. Joseph Sound Maintenance Project - The Director gave the following progress report together with WCIND Counsel and with Commr. Jones. WCIND concern is the expiration of lease of proposed spoil area in the Pinellas County area by the date of July, 1976, for requirements stated by the C.E. for maintenance dredging; also, the concern that no appraised value be divulged for the properties exchange until the negotiations are reviewed by the WCIND Board. Attorney Jim Martin, representing Island In The Sun, Ltd., property owners in the Crystal Beach area in Pinellas County, appeared before the Board to present the issue for negotiation between his client and WCIND: an exchange of Sarasota County surplus property as declared by the C.E., and the Pinellas County Crystal Beach area property. Since WCIND must acquire property for the C.E. for IWW maintenance in Pinellas County, and the WCIND present easement lease expires in July, 1976, WCIND is now requested to enter negotiations for resolving the issue since the C.E. did not make use of other property in Pinellas County such as Honeymoon Island. The need now is a permanent spoil site. The Court case, involving the C.E. and the WCIND, requires the C.E. to submit its Environmental Impact Statement for St. Joseph Sound area. All the alternate sites have not been reviewed. Land area is only 40 acres for Honeymoon Island; the Crystal Beach area property has 80 acres. The proposal, that WCIND acquire the Island In The Sun Ltd., property by exchange of surplus property in Sarasota County and whatever difference in cash in accordance with the current appraised values, was supported by Atty. Martin who stated that:

- a) WCIND's lease in Pinellas County expires in July, 1976 and WCIND needs a permanent spoil disposal area for C.E. requirements;
- b) WCIND has surplus property in Sarasota County and purchase or exchange for the Pinellas County property would alleviate the WCIND of site acquisition problems; and
- c) a WCIND negotiated property exchange for the needed disposal site in Pinellas County would then take the land there out of the hands of developers and thus satisfy questions raised by the Crystal Beach area people.

Commr. Jones referred to the appraisal values for land exchange proposal and stated that he could not accept the appraised value.

Commr. Rhodes questioned whether the three conditions as set forth, by the Judge in the pending suit, can be resolved this way.

Atty. Martin answered that certain conditions were the basis for the

Judge's findings - this criteria has been rectified - the re-segmentation in the Environmental Statement for the St. Joseph Sound.

Commr. Rhodes reiterated his opinion that WCIND can not consider the proposal until all questions are resolved for the Judge in the suit.

WCIND Counsel, Mr. Dye expressed appreciation by WCIND for Attorney Jim Martin and the property owner, Mr. V. Jack Kennedy, for attending this meeting today and trying to help the U.S. Army Corps of Engineers out of a difficult situation. The question is very complex re the placement of spoil material - what to do with it? The use of Honeymoon Island as a supplement area for spoil placement must be studied by the C.E. Originally, the plan was to use two areas, Crystal Beach area and the other area was Mediterranean Manor, Inc.; this would split the requirement. Also, acquisition of property would not settle the problem because in another seven - eight years another dredging will be required by the Corps of Engineers and this material too will have to be disposed of. Therefore, WCIND must find a solution.

Commr. Flowers referred to the land appraisal report submitted and stated that a second appraisal must be received.

Commr. Jones referred to Director Nay Landrum's position against any spoil use of Honeymoon Island.

Mr. Dye reported that the Honeymoon Island elevation needs raising for the park sites; also, the need for beach-building material there; a mixture of material would be suitable.

Atty. Martin stated that re the battle over the Environmental Impact Statement, "there is potential for many battles - this will be for any site." "The Corps of Engineers has delineated what it needs for Pinellas County."

Commr. Jones stated that WCIND has a time factor to be considered since the IWW maintenance is necessary and options are very few.

Director Furbee reported that the C.E. is studying the Environmental Impact Statement to extract and expand the requirements to include Honeymoon Island for contract for any area there that can be obtained. "My only contribution, I don't know the answer to two years hence..."

Commr. Jones As alternative sites, there are ownership problems and the price to be considered.

Commr. Rhodes "I must be sure that the WCIND will not be stopped after such a property swap."

Chairman "Should we proceed for another appraiser - because of the time element?"

Director Furbee "We have received one appraisal for the properties in both Pinellas County and Sarasota County; the prices are a shock to me."

Commr. Jones "If the Board decides, then the Chairman should choose for a second appraisal. Pinellas County has not taken a position on this proposal with six lots located in Sarasota County, Manasota Key, being included in the property exchange for C.E. requirements in Pinellas County."

Commr. Rhodes "The policy now is to reduce density."

Commr. Jones "My personal position from my knowledge of the area: it would be a beneficial situation for WCIND and for Pinellas County."

Chairman "I suggest that the two County Commissioners should present this proposal to the two respective County Commissions - Pinellas and Sarasota Counties."

Mr. Dye "Now, I suggest that Pinellas County does not take a position at this time."

Chairman "Commr. Jones, do you have a recommendation for this proposal?"

Commr. Jones " Not at this time."

Commr. Rhodes - "Sarasota County will discuss the proposal at the appropriate time."

Atty. Martin "The question is to request the WCIND Board grant a further appraisal be commissioned and negotiation of prices be resolved. The WCIND is charged to acquire available site for C.E. requirements."

Commr. Goldtrap "WCIND does not need two appraisals at the present time."

Chairman "The choice now is for sites - and WCIND has its obligation."

Mr. Dye "If something will be acceptable on Honeymoon Island, then WCIND has a more managable problem; if not, then the Corps of Engineers will go forward and acquire the Crystal Beach property as a requirement. WCIND can manage to resolve the problems rather than a private owner. Even the C.E. says that they do not need Sarasota County property now. They may need it in years to come - and property is very difficult to acquire now."

Atty. Martin noted that the Sarasota County property as noted for the exchange proposal can be placed on the County tax rolls.

Commr. Goldtrap stated that WCIND Counsel's statement for the July 1976 expiration of lease in Pinellas County needs further study.

Chairman "The Board agrees to no action at this time."

Sarasota County

Dr. Lovall & Mr. Sou Chan - Suit against WCIND - Mr. Dye reviewed the claim against WCIND and recommended that WCIND enter the suit. Commr. Rhodes moved that Attorney Dye be authorized to accept service and he enter a defense for WCIND; motion was seconded and was carried.

Appraisal Report - Director Furbee stated that there are no values

to be published at this time. The appraiser, Sam R. Caldwell And Associates, Realtor - Appraiser, has submitted appraised values for properties designated in the properties exchange proposal in both Pinellas County and Sarasota County.

Manatee County

Longboat Pass Project The Chairman reported on his recent visit to Senator Chiles' office in Washington, D.C. The project is still held up in the effort to get on the Small Projects List. Senator Chiles will notify Chairman McClure who will advise the Board.

Beach Nourishment Project - Director Furbee reviewed report that he received from Commr. Fortson, Manatee County, in reference to beach restoration.

WCIND Books and Records Audit The Director introduced Mr. Gary D. Trapp, CPA, of the firm, Whitcomb & Harrison Company, CPA's, Bradenton, Florida. Mr. Trapp is now in the process of this authorized audit for WCIND. The report will be submitted to the Board upon completion.

The ACTIVITIES REPORT was accepted as presented.

NEXT MEETING DATE Monday, January 19, 1976 is the approved date. This meeting will be held in Sarasota County Administration Building.

The meeting adjourned at 11:50 a.m.


Chairman


Assistant Secretary