

The February meeting of the Commissioners, of the WEST COAST INLAND NAVIGATION DISTRICT, was held February 17, 1969, in the Commissioners Meeting Room, Manatee County Courthouse, Bradenton, Fla.

Present:

Ellsworth G. Simmons, Chairman, Hillsborough County
 Dan P. McClure, Treasurer, Manatee County
 Kenneth W. Daniels, Secretary, Lee County
 Kenneth D. Brumbaugh, Sarasota County
 Howard V. Barr, Charlotte County

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

Absent: A. L. Anderson, Vice Chairman, Pinellas County

The meeting convened at 10:45 a.m.

The Director introduced Commissioner Howard V. Barr as the new Commissioner from Charlotte County.

Mr. Dewey A. Dye, Jr., administered the oath of office to Commissioner Barr.

Minutes of the January 13 meeting were corrected, Page 5: Morrison's Contract S3-4 (MSA-31), to indicate deletion of "with no refund", and then were approved. The Treasurer's Report was read and approved. Vouchers #5734 through #5783 were approved for payment.

HEARING OF INDIVIDUALS

Mr. Boyd R. Gernhart, on behalf of Mr. Hoffman, presented the following request in regard to Lot 14, Pine Shore Estates, north of Stickney Point Bridge and the new R/W eastern approaches on the mainland. Alignment of the Waterway has been shifted so that 6200 sq. ft. required for R/W on original alignment is no longer necessary for Corps of Engineers use. Mr. Hoffman has had Mr. Roy Lopshire, Sarasota County Appraiser, give his appraisal for the purpose of asking the CE to approve return of the 6200 sq. ft. to Mr. Hoffman for use with his Lot 14. Under the Lopshire appraisal, WCIND would receive \$5,146.00 for release of the 6200 sq. ft.

Motion was duly made and carried that the request by Mr. Hoffman, together with the proposed financial consideration for WCIND release, be reviewed and followed with a recommendation by the Director, Commissioner Brumbaugh, and the Attorneys, to be presented to the Board at its next regular meeting.

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Mr. D. G. Bowman, speaking for Mr. Burket, Attorney, on behalf of the George F. Gibbs, Jr., property, for the proposed application for release of easements at Venice Inlet and Venice Jetties. Following discussion of the application, as set forth in the draft resolution approved at the January meeting, Commissioner Brumbaugh moved that Resolution 69-5 be adopted, and the motion was carried. Copy of Resolution 69-5 will be furnished to Mr. Gibbs, Jr., for his handling with the Corps of Engineers.

ACTIVITIES REPORT

Charlotte County

Enlargement of C-29A - The Director reported on a conference with the Corps of Engineers in regard to this enlargement to be obtained from the Dunwoody family, adjacent to C-29, on east side of Tom Adams Bridge. An appraisal has been made on the property which the WCIND was requested to obtain for Corps of Engineers use as a maintenance upland Spoil Area. This will be a fee simple ownership.

Motion was duly made and carried that the staff be authorized to proceed to acquire this property in keeping with Board policy.

Manatee County

Right of Way at Cortez and Manatee Avenue Bridges - The Director reported on a conference with the staff of TIIF and the resident attorney for the State Road Department for easements in R/W where Cortez and Manatee Avenue Bridges cross the Intracoastal Waterway. WCIND does not have the right of way here. The TIIF has approved the request and the SRD is expected to take action at the February meeting.

Pinellas County

Cut-Out of P-33 - The Director reported that Mr. Smith and Mr. Van Norman had a conference with the George Young, Inc., surveyor, and with the appraiser there concerning a cut-out on S/A P-33, of about 15 acres on the upland side of this 26-acres area.

The Attorney stated that the appraisal is complete and negotiations were conducted without success. Commissioner Anderson has been advised of the location and need for this area. The Corps of Engineers has approved the location and has certified to WCIND the need for this property; there are no other spoil areas in this vicinity, just north of Belleair Bridge at the south end of Clearwater Harbor. Mr. Dye stated the need for WCIND authorization to either conclude the negotiations, or if not, to file condemnation suit on the 15 acres needed.

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Upon motion duly made and carried, Resolution 69-6 was adopted, authorizing acquisition of the tract therein described by negotiation or condemnation.

Sarasota County

Casey Key Beach Clean-up - The Director reported that he had received Mr. Burkhardt's approval, as principal property owner, for the work recently finished there. Commissioner Brumbaugh suggested that a release form be signed by owners of property. It was agreed that Mr. Dye would prepare the form and the Director will follow such procedure as soon as feasible whenever the work is finished.

Retty Claim - The Attorney stated that this claim involved a parcel of land acquired by WCIND in the 1950's in the Venice area and that, due to a discrepancy in survey, it is recommended that there be an exchange of quitclaim deeds to resolve the disputed boundary. This proposal is being studied by the Corps of Engineers.

Rohmann Claim - The Director reported that this work is now complete; the work was inspected, the check presented and this contract is complete.

Morrison's Contract S 3-4 (MSA-31) - The Director referred to the correction of January 13 Minutes. Now, the Director recommended that WCIND should return the first \$500 paid by Morrison according to the contract terms. Morrison's recent letter to WCIND requested a rebate on the second \$500 paid for cost of administration of contract and cross-sections before and after term of contract if taken by WCIND. (It was the WCIND's option to take cross-sections.) Return of this second \$500, paid per contract terms, is now to be decided by the Board. The Director reported that a cross-section had been taken prior to the Morrison contract, at the end of the term of the previous contractor. Morrison has hauled approximately \$280 worth and that was all he could sell because of Sarasota County's change in its requirements for soil cement purposes. Mr. Dye stated that the first \$500 was a deposit for yardage of material which Morrison has already paid. The second \$500 covered cost of cross-sections which did not take place since WCIND deemed the expense unjustified, plus administration cost.

Motion was duly made and carried that the first \$500 be returned to Mr. Morrison but that the Board should deny the return of any of the second \$500 deposit.

The Activities Report was accepted as presented.

NEW BUSINESS

Okeechobee Waterway Association Request: Resolution of Support:
An Open Hearing is scheduled for Clewiston, February 18, and the second one to be in Stuart, Florida, February 19.

Motion was duly made and carried that Mr. Dye prepare a resolution of support in keeping with WCIND policy; that the Director be authorized to attend and present the resolution, 69-7, in support of the OWA proposal, on February 18 and also to attend the meeting in Stuart, Florida, on February 19 as WCIND representative.

Board of Transportation meeting in Tallahassee, March 4 - The Chairman stated that this is a new State agency and the WCIND members and staff should be authorized to attend at WCIND expense. Motion was duly made and carried that the staff attend and make the presentation for WCIND in company with any Commissioners who desire to attend.


Next Meeting - Monday, March 17, 1969, Manatee County Commissioners' Meeting Room, Manatee County Courthouse, Bradenton.

Permanent Pipeline Easements - Casey Key - Motion was duly made and carried that the Attorney be authorized to acquire a permanent pipeline easement from Eagle Point, Inc., Casey Key, at the negotiated price of \$5,250, based upon the appraisal plus costs to be saved by avoiding litigation as per the Attorney's recommendation.

The meeting was adjourned at 11:55 a.m.



Vice Chairman



Secretary

ACTIVITIES REPORT

January 13, 1969 - February 17, 1969

I. A. CHARLOTTE COUNTY

The Additional Right of Way at Placida Harbor: a corrective TIF instrument was prepared and forwarded to the Trustees of the Internal Improvement Fund for re-execution. Upon receipt of this corrective instrument, a conveyance can be made to the U.S. Army Corps of Engineers and this problem should be resolved.

The Cape Haze Pipelines were conveyed to the C.E. Title insurance is now being secured and the recorded instrument and title insurance will be sent to the C.E. in the near future.

Conference was held with the C.E. on acquiring land for enlargement of C-29A from the Dunwody family. The C.E. has requested that WCIND acquire the property adjoining the present C-29 for this enlargement. Conferences have been held with the appraiser and the appraisal was received on the property to be acquired.

B. HILLSBOROUGH COUNTY

Not applicable

C. LEE COUNTY

Not Applicable

D. MANATEE COUNTY

Conference was held with Walter Hardin concerning the small piece of right-of-way required in Manatee County. Mr. Hardin would like to sell to WCIND the right-of-way as well as the remainder of the island, most of which lies outside the right-of-way line. No decision has been made on the purchase of any land outside the right-of-way.

Conferences were held with the staff of the TIF and with the resident Attorney for the State Road Department about securing easement for the right-of-way where Cortez and Manatee Avenue Bridges cross the Intracoastal Waterway. The Trustees have approved the request and we expect the SRD to take action at their February Board Meeting.

E. PINELLAS COUNTY

Conferences have been held with George F. Young, Surveyor, and the appraiser concerning making a cut-out on Spoil Area P-33 to take about 15 acres. This work is now in progress. Conference was also held with Paul Bumiller, Pinellas County Right-of-Way Agent, concerning the pipelines requested from the various cities in Pinellas County. Conference was also held with the surveyor concerning the location of P-29 so that WCIND would not encroach on any submerged lands. The Fish and Wild Life Service had objected to this spoil area because it did overlap in submerged lands.

Conference was held with the C.E. concerning Spoil Area at Corey Causeway on submerged lands owned by Mathews. This is now being investigated to see if the spoil area can be located on this private submerged lands area.

F. SARASOTA COUNTY

Casey Key Beach Clean-up Project - Rock has been removed from beach. Completed by Clewiston Area C.E. on January 30, 1969. Replacement of soil in wash-out area in vicinity of utility power pole is being accomplished by placement of 60-70 cu. yds. of fill by Rigby Trucking Company at a cost not to exceed one hundred fifty dollars (\$150). Estimated completion date: February 17, 1969. The property owner, Mr. Burkhardt, expressed satisfaction of beach work. (WCIND Resolution 68-4, February 19, 1968)

Canal Bank Treatment - Venice Area - The C.E. Inspector, Mr. C. D. Wofford, estimates 35-40% completion of project. This work is progressing satisfactorily. Contract completion date 5-1-69.

Retty Claim - Section 3 - Information has been secured to forward to the C.E. for release of property within the right-of-way in settlement of the Retty Claim. An O/E report has been ordered from the abstract company and upon receipt this information will be forwarded to the C.E.

Rohmann Contract - This contract was completed Feb. 13, 1969.