

The March meeting of the Commissioners, of the WEST COAST INLAND NAVIGATION DISTRICT, was held March 27, 1973, in Conference Room, Holiday Inn, North Tamiami Trail, Sarasota, Florida.

Present were: Kenneth W. Daniels, Chairman, Lee County  
 Larry Rhodes, Vice Chairman, Sarasota County  
 Dan P. McClure, Treasurer, Manatee County  
 Dorothy R. Flowers, Secretary, Charlotte County

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

Absent were: A. Oliver McEachern, Pinellas County  
 Bob Lester, Hillsborough County

Guests: LTC Tommy L. Everhart, Deputy District Engineer;  
 Mr. Gail G. Gren, Chief, Operations Division;  
 for U.S. Corps of Engineers, Jacksonville District.  
 Mr. W. V. Canaday, Area Engineer, Tampa Office, C.E.  
 Colonel Roger M. Bachman, Chief, Bureau of Waterways,  
 Department of Natural Resources, Tallahassee.

#### ADMINISTRATION

The meeting convened at 8:45 a.m. beginning the second day of the waterway inspection trip, Fort Myers to Tarpon Springs. The Chairman welcomed guests to the meeting and thanked the U.S. Corps of Engineers personnel for their generous help in making the waterway inspection trip a success.

Minutes of the January 22, 1973 meeting were approved as presented. The February board meeting had been scheduled for Monday, February 19, 1973, and cancelled by the board. February Vouchers No. 7165 - 7197 were processed for payment and were approved.

The Treasurer's Reports, January and February, 1973, were approved as presented. Vouchers No. 7165 through 7221 were approved for payment.

Hearing - Department of Pollution Control Board, Tallahassee -  
 The Director reported on the hearing February 6 and 7 to regulate Dredge & Fill: Chapter 17-12 Requirements For Dredging, Filling & Related Activities. The Director presented at this hearing the WCIND opposition to the wording of the proposed rule; this was followed up by Mr. Dye's written presentation before the deadline date. The proposed Rule is pending and is to be resolved at the next legislative session. Mr. Dye stated that currently reports received have been negative for the Longboat Pass project.

Proposed Legislation - H.B.-42 - The Director reported that the County Commissions within the District have adopted resolutions in support of WCIND and stated their opposition to the proposed legislation "to abolish WCIND". Copies of these County Commission resolutions in support of WCIND have been received and Chairman Daniels confirmed that Lee County's copy is being processed to WCIND Office; this will complete the record for the six Counties' support of WCIND with the exception of Hillsborough County.

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Letter was received from Mr. Paul G. Franklin, Fort Myers, who reported on his written communications to local legislators in which he requested their consideration in support of WCIND and their opposition to the pending bill to abolish WCIND when the House Bill - 42 is presented.

### ACTIVITIES REPORT

#### Charlotte County

SCL Railroad Bridge Project Financial Status - The Director reported on bills received for the SCL Resident Engineer's services for November, December, 1972, and one for January, 1973, after the SCL Railroad Company had taken over the operation of the bridge on October 22, 1972. The Director withheld payment of the invoices which included these services and requested that the SCL submit corrected invoices. The matter of WCIND obligation was referred to Mr. Dye. Mr. Dye reported that the bridge project, though finished, was not operating properly and the Westinghouse Company representative was on hand all of this time. The dispute is concerned with whether the WCIND should be liable after the bridge is finished but not operating properly. The subcontractor should be liable for the bridge contract until February, 1973. Chairman Daniels, Commrs. Rhodes, McClure, and Flowers, all were in agreement in their objection to the SCL Railroad Company holding WCIND liable for these Resident Engineer's services after the date of October 22, 1972. Mr. Dye will proceed to resolve the limit of WCIND obligation for the SCL Railroad Bridge contract.

Cape Haze Channel - The Permit requested by Cavanaugh Communities to remove dirt plug in nearby channel for erection of a boatdock was questioned by one property owner, Mr. Davis White. The Director inspected the site and advised that this location was neither within the jurisdiction of WCIND nor within the WCIND right-of-way.

Lemon Bay Shoaling Report - The Director reported that each shoaling report for this area has been investigated as to whether they keep within the waterway channel depth of nine feet. Survey of the waterway is being made during the current inspection trip.

Stump Pass - Commr. Flowers reported on planned attendance at the Monday night meeting, April 2, at the Charlotte County Courthouse for the Corps of Engineers public hearing concerning the Beach Erosion Study. Commr. Flowers again requested that the Stump Pass Project request for WCIND support be placed as agenda item for WCIND 1973-74 budget; the board concurred.

#### Sarasota County

Venice Area Chamber of Commerce Request for Property Release - The Quitclaim deed now received from the U.S., and forwarded to the Venice Area Chamber of Commerce, releases the property requested. Appraised value of \$1,340 for right-of-way property release by WCIND has been paid by the Venice Area Chamber of Commerce. Copy of this deed granted by the U.S. is on file.

Dr. DeMasi Request for Property Release - Appraised value \$365 for the Venice property release by WCIND, with CE administrative fee \$125 and the WCIND administrative fee \$100, all have been received. WCIND has forwarded its Letter-of-consent to Sarasota County authorities as required for the Dr.'s request to erect a seawall as was specified on his property.

Corps of Engineers - Maintenance Contract - Mr. W. V. Canaday, Tampa Office Engineer, reported that no seeding is planned at the present time since slopes must be placed in proper condition for cutting and rip rap maintenance must be attended to along the Venice Cut area. The Director contacted the Ringling Bros. Barnum & Bailey Circus office in Venice for its responsibility to clean up abandoned material on WCIND right-of-way. Also, the Sarasota County Air and Water Pollution Control Department was contacted and progress is reported being made on the Venice Cut area clean-up.

Sarasota County Contract - The Director reported that Sarasota County Administrator is processing its request for a one year extension of its contract for spoil material removed from MSA S3-4. Motion was made by Commr. Rhodes that WCIND grant the one year extension; the motion was seconded by Commr. McClure and the motion carried.

Sarasota County Tax Lien - The lien, \$79.55, is for unpaid taxes on a parcel of land which WCIND acquired in 1965 and an additional fee of \$40 if not paid prior to March 1, 1973. The Tax was paid February 19, 1973. Motion was made by Commr. Rhodes to approve this payment on tax lien; the motion was seconded by Commr. McClure and was carried.

#### Manatee County

Longboat Pass Project - Commr. McClure reported that since the Manatee County request, January 9, 1973, for waiver from the State Air & Water Pollution Control Department in seeking approval for the dredging of Longboat Pass, the Manatee County director of Pollution Control has written to the State authority. No response has been received since March 15, 1973.

MSA M-15 Land Use - The Director reported that County permission was granted to Mr. Larry Jones, Bradenton, and local College students, to use M-15 for the purpose of studying the Black-widow spider which was discovered in large number recently on this spoil island.

#### Pinellas County

Department of Transportation Request - A right-of-way easement is required as a temporary easement along the Corey Causeway Bridge. There is some land acquisition to be obtained and Mr. Pickhaver is providing the WCIND with a legal description for the temporary and also the permanent easement required by the D.O.T. Mr. Dye will prepare the required instruments needed by the State D.O.T.

The ACTIVITIES REPORT was accepted as presented.

GENERAL BUSINESS

Announcement: Annual Meeting, Water Resources Congress - The Director reported that Registration/Reservation Applications were required early for the Water Resources Congress 1973 Annual Meeting to be held April 3 - 6, 1973, in Washington, D.C. Approval was requested for the required payment of \$200 for registration fees. Commr. McClure moved that the \$200 Registration Fees for WCIND board and staff members be approved; the motion was seconded and carried. Commr. Rhodes moved that members and staff be authorized to attend at WCIND expense; the motion was seconded and carried.

NEXT MEETING DATE - The Director reported that room space has been reserved at the Sarasota Motor Hotel, in the Manatee Room, for the April regular monthly meeting of the WCIND board. The recommended date for the April meeting is Monday, April 16, 1973 at 10:30 a.m. The board agreed that the next meeting will be held on Monday, on April 16, 1973, 10:30 a.m.

The meeting adjourned at 10:15 a.m.

Kenneth W. Daniels  
Chairman

Dorothy R. Flawen  
Secretary

## ACTIVITIES REPORT

January 22, 1973 - March 27, 1973

## I.

A. CHARLOTTE COUNTY

1. Placida Railroad Bridge Financial Report - The balance due remains the same as reported at the January 22, 1973 board meeting, \$102,403.37.

No payment has been made due to the fact that the SCL Railroad Company took over the operation of the bridge on October 22, 1972 and WCIND received a bill for the SCL Railroad Company Resident Engineer's services for November and December, 1972. The Director returned the invoices to SCL Railroad Company, stating the WCIND position. Mr. Seay, SCL, gave a written reply as to why the SCL Railroad Company believed these charges to be in order. The Director referred the matter to Mr. Dye for his legal opinion.

2. The Corps of Engineers - Jacksonville District - The announcement was made for a public hearing to take place in Punta Gorda on April 2, 1973 at 7:30 p.m., concerning the Beach Erosion Study for Charlotte County. This information was forwarded to Commissioner Flowers.

3. Cape Haze - Telephoned request was received from Cape Haze property owner, Mr. Davis White, for the Director to visit the area; reference, a public announcement by the Corps of Engineers wherein a request was received for a Permit by the Cavanaugh Communities to remove a dirt plug in a nearby channel and erect a boat dock. The Director inspected the site and Mr. White was advised that the location was not within the jurisdiction of WCIND and the site was not within WCIND right-of-way.

4. Lemon Bay Shoaling Report - Telephone call was received from Mr. Jerry Fitzgerald of the E. R. Jahna Industries, Inc., Lake Wales, Florida, as a follow-up to his written report of shoaling in Lower Lemon Bay. The Director advised Mr. Fitzgerald to provide an accurate site location so that a survey could be made during the waterway inspection trip.

B. SARASOTA COUNTY

1. Venice Chamber of Commerce - WCIND has received Quitclaim deed from The Secretary of The Army which releases the Venice Area Chamber of Commerce property. Mr. Dye has contacted the Chamber's Attorney, Mr. Charles F. Wheeler, Venice.

2. Dr. C. J. DeMasi, M.D., Venice, Request for Parcel Release - Agreement was received for the appraised price of the WCIND property and Dr. DeMasi submitted his check to cover the price including WCIND and the Corps of Engineers administration fees.

3. Corps of Engineers - Maintenance Contract - WCIND received notice from Tampa Office, Corps of Engineers, that they were in the process of awarding a contract for the mowing and seeding of the waterway banks in the Venice Cut Area but would require the abandoned material to be removed prior to machinery entering the Area. The Director contacted the Ringling Bros. Barnum & Bailey Circus office in Venice and also the Sarasota County authorities in order to have the Area cleaned up so that machinery could enter the property.

4. Sarasota County Contract - The WCIND contract with Sarasota County for spoil material expires April 9, 1973. Mr. Edward Hoyt, County Administrator, has advised that prior to expiration date, WCIND will receive a request for a one-year extension to the existing contract, WCIND location MSA S3-4.

5. Sarasota County Tax Lien - WCIND received notice from the County Tax Collector that taxes were unpaid on a parcel of land for 1965 when WCIND acquired the property and, if lien (\$79.55) was not paid prior to March 1, 1973, it would entail an additional fee of \$40.00. Fee was paid in February, 1973.

C. MANATEE COUNTY

1. Longboat Pass - Manatee County received an inquiry from the Corps of Engineers regarding the County request for waiver from the Florida Department of Air & Water Pollution Control. Chairman Ken D. Dierks followed up the January 9, 1973 request on March 15, 1973.

2. Maintenance Spoil Area M-15 - Request was received from Mr. Larry Jones, Bradenton, to use M-15 for the purpose of studying the Black-widow spider. Mr. Jones reports that there are hundreds of these spiders on the island. Manatee Junior College and New College students are also participating in this study.

D. PINELLAS COUNTY

1. D.O.T. Request - WCIND received request from Florida Department of Transportation; a right-of-way easement is required for the Corey Causeway bridge. Mr. Dye is preparing instrument.

II. GENERAL BUSINESS

The Water Resources Congress 1973 Annual Meeting will be held April 3 - 6, 1973, in Washington, D.C.