

The April meeting of the Commissioners, of the WEST COAST INLAND NAVIGATION DISTRICT, was held April 16, 1973, in the Sarasota County Commission Chambers, Manatee Room, 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

#### ADMINISTRATION

The meeting convened at 10:30 a.m.

Minutes of the March 27, 1973 meeting were approved as presented.

The Treasurer's Report was approved as presented. Vouchers #7222 through 7253 were approved for payment.

The Director presented Equipment Inventory of those items since December, 1948, which are either worn out, traded or discarded and it was recommended that these be deleted from the WCIND capitalized Equipment account in the amount of \$2,672.21. Criteria per Auditor's ruling is that this account should include only items with a minimum value of \$25 or greater. Commr. Flowers moved that the listing of WCIND Equipment items shown as worn out, traded or discarded and those listed items of less than \$25 be deleted from the capitalized Equipment account; the motion was seconded by Commr. McClure and the motion carried. The Chairman directed that this listed inventory be deleted from the WCIND Equipment account.

WCIND Proposed Budget for 1973-74 - This was submitted by the Director for board action along with the accompanying resolution, WCIND No. 73-01, which authorizes 00.03 mill tax levy for the six Counties in the District. Individual schedules in the budget submitted were reviewed with the Summary of WCIND requirements, 1973-74, in accordance with the U.S. Army Corps of Engineers stated requirements for spoil areas and the diking planned in Pinellas County for the waterway maintenance program.

Commr. McClure referred to the proposed parcels for land acquisition, either this year or the next year as required by C.E. If property is to be acquired, how might WCIND be able to purchase all the projected requirements? Mr. Dye suggested two alternatives to be considered: 1, to acquire the whole parcels as projected in budget, or 2, to continue to question the C.E. as to the Corps' plans for future requirements. Commr. McClure stated concern for the WCIND liability next year, 1974-75, and requested that the Attorney and Director re-examine projected land acquisitions by arranging to meet with the District Engineer, Corps of Engineers, Jacksonville District.

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Mr. Dye stated that the C.E. is in the process of preparing its study and reporting same to WCIND. Mr. Dye suggested that board members accompany the Director and him to the C.E. District Office to plead the WCIND case. The Director was instructed to contact the District Engineer for a confirmed date, April 26 or 27 for the WCIND appointed visit; board members will be polled for the date arranged, especially Pinellas County, for planned land acquisition in the area.

The Chairman requested that the Director and Mr. Dye with Commrs. McClure and Rhodes contact the chairman of both Hillsborough and Pinellas County Boards of Commissioners for the need that these Counties be represented at monthly scheduled board meetings.

Commr. McClure moved that the proposed WCIND budget for FY 1973-74 submitted today be approved and that the accompanying resolution, WCIND No. 73-01, authorizing 00.03 mill tax levy for the six Counties in the District for FY 1973-74 be adopted and forwarded to the State. Commr. Rhodes seconded the motion; the motion carried. The Director was instructed to forward the approved budget with the executed resolution to the appropriate officials.

WCIND Record Maps - Commr. McClure moved for board approval that the record maps of WCIND Tampa Area be copied and forwarded to the Corps of Engineers Tampa Office; Commr. Rhodes seconded the motion; the motion carried.

Commr. McClure announced that Manatee County has obtained new aerial maps and copies will be furnished to WCIND.

#### HEARING OF INDIVIDUALS

Mr. J. O'Dell, Venice, representing Mr. Carl E. Weller, submitted request for outright purchase or trade of like property for a portion of WCIND right-of-way near Venice Avenue Bridge. Letter of proposal was read by the Director; preference was for the outright purchase of WCIND Maintenance Spoil Area S-29 which is contiguous to property owned by Mr. Weller. Mr. Dye stated that the WCIND takes the same position as do the Counties in regard to property released for sale. Spoil areas were acquired with location in mind and any substitute would have to be very close by with the only acceptable alternate property in the area of the Venice Airport near waterway - referring to S/A S3-4 on other side of the Venice Bypass. Commr. Rhodes stated that WCIND representatives should first obtain from the C.E. Jacksonville Office the criteria for the area to be explored for the proposed plans of Mr. Carl Weller. Two things are to be considered; a) Mr. Weller should seek out another area; b) await the C.E. criteria position following the WCIND board visit to the C.E.

#### ACTIVITIES REPORT

##### Charlotte County

Corps of Engineers OPEN HEARING - The hearing on April 2 for Beach Erosion Study was addressed by Commr. Flowers and the

Director attended and made an appeal to the C.E. to make future studies of a regional character. The Corps of Engineers advised that a local body must sponsor these studies and or projects.

Lemon Bay Shoaling Report - As a result of a centerline sounding survey of Lemon Bay during the waterway inspection trip, the Corps of Engineers found the waterway to meet the design criteria of nine (9) feet in depth. The Lakeland contractor who reported the shoaling in this area was advised of these current findings.

#### Sarasota County

Request for Security Participation - Mr. F. H. Hosea, Manasota Key Ass'n, sent a letter of request for WCIND support for the security patrol; \$20 per year per lot, for 3 lots. Commr. Rhodes moved that, in WCIND interest and security of property, it contribute \$20 per year per lot owned (\$60 per year); the motion was seconded by Commr. Flowers and the motion carried, with receipt of the Ass'n report at the end of the year before the renewal of WCIND participation.

SCL Railroad Spur (Venice Area) - WCIND requested a recent survey to determine if the spur encroaches on right-of-way; apparently, this spur was constructed without Permit or WCIND approval. The Director will contact officials and advise the SCL Railroad Co. of the findings. The Corps of Engineers is in process of awarding a contract for maintenance on Venice Cut with the SCL spur adjoining.

Court Funds - Director reported that an inquiry made by Attorney R.O. Isphording on behalf of Mrs. Rose T. Peters, defendant in suit No. 6871, was determined to be previously resolved. Report was turned over to her attorney, Mr. Isphording, to advise client.

Property Release - Dr. C. J. DeMasi - The Director stated that release instrument is being processed and is expected this month. Mr. Dye reported that release is expected also for Sarasota Marina.

#### Manatee County

Longboat Pass Project - Director reported that WCIND office has been in contact with Manatee County Commission officials for the follow-up to the County request for the State Waiver. To date, no final action is reported for the Waiver being sought from the State Pollution Control Board.

#### Pinellas County

PERMIT Request (#6715) - This concerns reconstruction of a pier and boathouse which may be infringing on WCIND right-of-way. A survey is in process and the Director will make a report to the C.E.

State Department of Transportation Request for Easement - Mr. Dye reported a perpetual easement is wanted north of the Corey Causeway bridge. The Permit should be obtained from the U.S. and before

June, 1973 in order for the D.O.T. to obtain the federal funds needed. Mr. Dye forwarded the information for the O.R. and Page book for the documents. Commr. Rhodes moved that WCIND accept the Service for any acquisition suit if needed; motion was seconded by Commr. McClure and the motion carried.

The ACTIVITIES REPORT was accepted as presented.

NEXT MEETING DATE -

The recommended date for the May meeting is Monday, on May 14, 1973, 10:30 a.m. The board agreed that the May board meeting will be held on Monday, May 14, 1973, Sarasota Motor Hotel in Sarasota.

The meeting adjourned at 11:45 a.m.

Kenneth W. Daniels  
Chairman

Dorothy B. Havers  
Secretary

## ACTIVITIES REPORT

March 27, 1973 - April 16, 1973

## I.

A. CHARLOTTE COUNTY

1. Corps of Engineers Open Hearing - The Director attended the hearing on April 2 for the Beach Erosion Study. Commr. Dorothy R. Flowers addressed the hearing for beach erosion problems in the County, more particularly on the problems in the vicinity of Stump Pass and on Lower Manasota Key. The Director appealed to the C.E. to make future studies of a regional character rather than a political nature. The C.E. advised that the requirement for a study must be sponsored by a local body. This criteria dictates that a regional sponsor must request such studies and/or projects.

2. Lemon Bay Shoaling Report - As a result of a reported shoaling in Lemon Bay by a mining contractor in Lakeland, Florida, the Corps of Engineers along with the WCIND Commissioners and Staff, performed a centerline sounding survey of Lemon Bay and found the waterway to meet the design criteria of nine (9) feet. The contractor has been advised of the findings.

B. SARASOTA COUNTY

1. Request for Purchase of WCIND Property - WCIND has received a request from Mr. Carl E. Weller, owner of contiguous property to Maintenance Spoil Area S-29 to (1) a trade of like property, or (2) first refusal of outright purchase. The Director advised Mr. Weller that the request would be presented to the WCIND Board of Commissioners at the April meeting.

2. Request for Security Participation - Mr. Frank H. Hosea, chairman of the security patrol of the Manasota Key Association, Inc., has written a request for WCIND to participate in security protection of WCIND vacant property on Manasota Key; contribution for each vacant lot, \$20.00 per year. WCIND has three vacant lots within the security patrol boundaries.

3. SCL Railroad Spur (Venice Area) - In order to facilitate the Corps of Engineers awarding a contract for mowing and seeding the banks on the Venice Cut, it was necessary to have the users (Ringling Bros. Circus) remove the abandoned material along the railroad spur. To ascertain the right-of-way true ownership, a survey was requested by WCIND. It appears that the SCL Railroad spur encroaches on WCIND right-of-way. It is recommended that WCIND Counsel confirm the possible encroachment and seek a fair settlement from SCL Railroad.

4. Court Funds - On July 3, 1969, the Director in accordance with instructions from WCIND Board of Commissioners, requested an accounting of WCIND funds remaining on deposit with the Sarasota Registry of the Circuit Court. A report

was received on July 8, 1969 from Mr. Robert W. Zinn, Clerk of the Circuit Court, Sarasota County. The Director requested the WCIND Counsel, Mr. Gilbert A. Smith, to petition for a return of uncommitted monies on deposit for the case No. 6871 on February 16, 1970. Mr. Smith filed said motion. On February 18, 1970, Circuit Judge Justice ordered the funds returned to WCIND. The funds were returned and deposited on February 19, 1970 in WCIND Checking account, Manatee National Bank. During March 1973, Mr. Roger O. Isphording, Attorney for Mrs. Rose T. Peters, defendant in suit No. 6871, stated that Mrs. Peters had not received her compensation. This amount is approximately \$10,000.

5. Property Release: Dr. C. J. DeMasi - A property survey has been completed. Funds have been received in the amount of \$590. The request for release will be processed to the Corps of Engineers during the week of April 16-20, 1973.

C. MANATEE COUNTY

1. Longboat Pass - The request for a waiver of the Pollution Control Board has not received final action as of April 11.

D. PINELLAS COUNTY

1. PERMIT Request (#6715) - The Corps of Engineers, Tampa Office, has forwarded correspondence concerning the status of a pier and boathouse reconstruction permit. Preliminary investigation reveals that part of subject property may be infringing on WCIND right-of-way. Determination will be made and the Corps of Engineers will be advised.

2. State Department of Transportation - Easement Request - Mr. Dye is in the process of drawing up appropriate Easement document and is coordinating with the D.O.T.