

The monthly board meeting of the Board of Commissioners, WEST COAST INLAND NAVIGATION DISTRICT, was held October 16, 1978, in the Sarasota County Courthouse, Sarasota, Florida.

Present were: Dan P. McClure, Chairman, Manatee County
Larry Rhodes, Treasurer, Sarasota County
Arnold F. Schade, Charlotte County

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

Absent were: Don Jones, Vice Chairman, Pinellas County
R. Douglas Taylor, Secretary, Lee County

Guest: Mr. J. A. Helinger, Jr., Asst. Atty., Pinellas County

ADMINISTRATION

The meeting convened at 10:30 a.m.

Commr. Jones, Vice Chairman, is out of State for two weeks.
Commr. Taylor, Secretary, is absent due to recent surgery.

Minutes of September 25, 1978 regular monthly board meeting were approved as presented.

Treasurer's Report for September 30, 1978 was approved as presented. C/Deposit \$100,000 will be redeemed this month; and a C/Deposit \$150,000 will be purchased for six months period at 8.25%.
Vouchers #1407 through #1432 were approved for payment with the new C/Deposit included.

Mr. Helinger, representing Pinellas County Commission, was welcomed to today's meeting in the absence of Commissioner Jones.

The 1979 Board Officers will be elected following election of new Boards of County Commissioners in November.

The annual audit of WCIND for FY ending September 30, 1978, will begin October 23, 1978.

ACTIVITIES REPORT

Charlotte County The Director attended the County Commission Board meeting on October 10 and reviewed the WCIND Enabling Act. Charlotte County adopted a resolution to support the WCIND legislation relating to broadening the responsibilities of the District. Commr. Schade submitted the Charlotte County resolution to WCIND Counsel for his review of pertinent detail to give strength to the County's resolution of support. The Chairman requested that a copy of this resolution, when executed by the Charlotte County, Board of County Commissioners, be sent to the other Counties within the District. The Director was also requested to appear before the Sarasota and the Manatee County Commissions for review of the WCIND Enabling Act.

Sarasota County

The City of Venice Mayor, Harry E. Case, wrote the City's acceptance, dated October 4, 1978, re the WCIND S/A S-32, Ingress and Egress permit to City of Venice. He expressed appreciation for the WCIND efforts and cooperation for additional recreation area made available to the citizens. He also stated acceptance of all stipulations re the land use as contained in the April 1, 1978 MSA S-32 License Agreement between the WCIND and City of Venice.

Pinellas County

Status of Obligations to the District: WCIND Counsel, Mr. Dye, reported on his letter sent to Pinellas County explaining the responsibility of all members; this letter evidently crossed in the mail with the Pinellas County letter to WCIND stating that Pinellas County will not pay for the 1978 stated responsibilities to the WCIND. Counsel Dye stated that he had written to explain the WCIND Enabling Act and the members' responsibilities thereto.

Mr. Helinger addressed Board: "Pinellas County feels that it can best take care of its County water and navigation control responsibilities in working with the various State Agencies and the County could better accomplish its needs directly."

The Board members were referred to the Blind Pass area by the Director who stated that it cannot be a WCIND project until required legislation.

Commr. Schade, to Mr. Helinger: "If Pinellas County has a different district, then you will have to deal with the Corps of Engineers?"

Mr. Helinger: "We have been able to expedite directly with in-house and State agencies without expending extra funds to be charged by the West Coast Inland Navigation District."

Chairman: "Referring to the legal commitment by Pinellas County for this 1978-79 fiscal year budget, this matter should be resolved before any further delay."

Counsel Dye reported that when such a problem occurred before, with the Pinellas County, a writ of Mandamus was ordered; Pinellas County did pay. The question now is the response to WCIND's letter which is due from the Pinellas County Commission.

Mr. Helinger: "We are ready to litigate the matter and we feel that we have no financial responsibilities beyond this coming year. Taxation is not understood to be a contract."

Chairman: "The WCIND awaits the letter from Pinellas County Commission; WCIND Counsel and the Board will convene with a special meeting with the Pinellas County Board of Commissioners being advised of the meeting."

Crystal Beach Property, Proposal for Sale - Counsel Dye presented a shorter form (Notice of Proposed Sale) adapted for this property subject to Land and Zoning regulations, conveyance of appurtenant submerged lands and riparian rights, the Plat of Seaside Assembly Subd; and the conveyance by fee simple deed; subject to reservations of an alternate method of buying with terms 25% at closing and balance in three (3) equal annual installments with interest at nine percent; plus a release

schedule flexibility because this land is appraised at \$2,100,000 and to be able to negotiate terms for the 86 acres above m.h.w.l. The legal ad is to be published in the six Counties that made up the WCIND and also should be in additional papers of Pinellas County (Clearwater Sun, and the Wall Street Journal). This also should be presented to the State DNR. The Notice of Sale form submitted today states that offers are to be opened December 15 at 10:00 a.m. at the WCIND Office with the results to be presented to WCIND Board on Monday, December 18, at 11:00 a.m. The above Notice of Proposed Sale will have included the recent appraisal.

Commr. Rhodes moved that WCIND place a display Ad in the six papers as well as the two additional newspapers, for proposed sale as today recommended by Counsel Dye; the motion was seconded and carried.

This tract to be offered for sale consists of about 140 acres of which 86 acres lie above the m.h.w.line.

Legislation: Counsel Dye stated that from Mr. Helinger's statement made today, the question is, does the WCIND want to write off Pinellas County completely? Also, that the Special Act re the withdrawal of members must be decided by a Circuit Judge. The Law 165 requires a public hearing in the particular County re restitution to the WCIND for the current millage.

Chairman McClure requested that Counsel Dye investigate the current legislation with Pinellas County's intent to withdraw.

The Director reported that the District has received the Pinellas County resolution that Pinellas County is no longer a member of the District; if so, then no commissions will be paid by WCIND to Pinellas County.

Mr. Helinger: "This will be done at WCIND peril."

The ACTIVITIES REPORT was accepted as presented.

ANNOUNCEMENTS

The next Regular Board Meeting is scheduled to be Monday, November 20, at Sarasota County Courthouse.

The meeting adjourned at 11:25 a.m.

Charles E. Justice
Assistant Secretary

Dan P. McClure
Chairman