

The regular monthly meeting of the WEST COAST INLAND NAVIGATION DISTRICT COMMISSIONERS was held September 14, 1962 at the Manatee County Office Building.

Present were:

H.H. Anger, Vice-chairman, Charlotte County
 Elmer Bustle, Treasurer, Manatee County
 Mack H. Jones, Lee County
 Warren S. Henderson, Sarasota County

George Kumpe, Executive Director
 J. Hardin Peterson Sr., Special Counsel
 Joe K. Merrin, Engineer
 Dewey A. Dye Jr., General Counsel

Absent:

Ellsworth G. Simmons, Chairman, Hillsborough County
 A.L. Anderson, Secretary, Pinellas County

ADMINISTRATION

The Vice-chairman called the meeting to order at 11:05 A.M. Minutes of the August 10 and August 30, 1962 meetings were approved as presented. The Treasurer's report was read by Mr. Bustle and approved. Vouchers #3143 through #3175 covering current bills were approved for payment; however, Commissioner Henderson made a motion that the bill of Dye & Dye, Voucher #3168, be listed in more detail, the listing to be made a part of Board records. Mr. Dye suggested that if more detail were desired in his billing that it apply to all future bills. The motion carried.

HEARING OF INDIVIDUALS

Commissioner Boyd R. Gernhard, Sarasota County, Mr. De Frances and Mr. Shumway appeared to discuss elimination of spoil island S-34. Mr. De Frances stated that he did not want the spoil but asked that spoil be placed on Point Crisp, then

below mean low water on submerged land and as a last resort on his property. Mr. Henderson moved that the Board determine that it is in the interest of the public and of the Navigation District that this spoil island be removed and that the sum of \$11,600 be made available to aid Sarasota County in working with the contractor or sub-contractor on removing this objectionable spoil island. The motion did not receive a second. Commissioner Jones gave his opinion that the matter had been discussed enough. Commissioner Bustle expressed the opinion the Board might seem derelict in its handling of public funds if taxpayers money from the six counties were used to enhance privately owned property. Mr. Dye said that it would take a new determination by WCIND on a factual basis that it was actually in the public interest. Mr. Merrin said that possibly the quantity of material to be dredged would be less than originally expected. The Director was asked to see if he could get the Corps of Engineers to have soundings made of the channel and of spoil area S-34.

PROGRESS REPORT

On the three spoil areas for which Lanius Marine Construction contracted to perform diking, work has been completed on spoil area S-31, it has been inspected by the Navigation District and will be inspected by the Corps of Engineers on September 14. The contractor was instructed to replace 200' of ditch 3'x 6' to eliminate any stoppage of flow in county mosquito ditch. Cost for this ditching was \$146.00 and was approved for payment on motion of Commissioner Henderson.

The west side of spoil area S 35-4A was intended to be along the bulkhead line. During the advertisement of this work the Trustees approved a line further to the east. Specifications were amended and the new bulkhead line was intended to be the outer toe of this dike, in fact the dike as constructed lay west of the bulkhead line. At a meeting this week on the site it was agreed that the dike would be moved to the east to lie east of the bulkhead line. Mr. Merrin said that it was a mistake of his concern and the dike would be moved at his expense. The dike on the north side of the spoil area was located with its toe south of the property line. Construction of the dike aroused local opposition particularly to the possible filling of a shallow drainage swale along the property line. At the meeting on the site the Director agreed to have the western portion of the north dike changed so that the toe would be no closer than three feet from the top of the swale.

Commissioner Henderson made motion that the Director be authorized to negotiate with the contractor on S 35-4 to modify the north dike, with the proposed cost to be approved by telephone by a quorum of the Board. The motion carried.

Mr. Gernhard suggested that the contractor be asked before any construction of any kind is done, to check with the Public Works Department to make sure that no bulkhead line is being violated, that no requirement of drainage, public health and mosquito is being blocked off and that no property not involved in the spoiling or diking is being trespassed on. Instead it was agreed that a set of Plans and Specifications of the contract would be obtained for Sarasota County to determine

the relationship of Waterway construction to County plans. The Director stated that this would be done, and construction schedule furnished as soon as the Subcontractor started working.

The Progress Report was accepted.

NEW BUSINESS

Commissioner Henderson gave to the District a copy of the 17 page document read at Venice City Council meeting September 11 and stated that the meeting proposed on September 13 was not called off because of this report but due to the fact that Secretary of State Tom Adams had been in touch with City of Venice officials and they expected a complete answer from him. Mr. Henderson assumed that the next move would be from Secretary Adams or the City of Venice.

The meeting adjourned at 12:15 P.M.


Chairman


Secretary

PROGRESS REPORT

10 August 1962 - 13 September 1962

CONSTRUCTION PROGRESS

During the month of August:

a. In Section 5 the contract dredge excavated 151,639 cubic yards of material and advanced 5070 linear feet. On August 31 the contract was 76% complete.

b. In Section 4 the contract dredge excavated 92,803 cubic yards of material and advanced 16,376 linear feet. On August 31 the contract was 10% complete.

Section 4 - The District Engineer approved the sub-contracting of the southern portion of the section to Hendry Corp. The sub-contractor will try to bring his dredge into the project through Midnight Pass at about the middle of September. When this operation is complete he will be prepared to discuss details of construction.

Diking - Three bids were opened on August 13 for diking required by local interests in spoil areas S 40-1, S 37-1 and S 35-4. The low bidder was Woodrow G. Lanius of Nokomis with a bid of \$7,376. 100% performance bond was posted, contract was signed on Aug. 28 and notice to proceed issued that day.

(a) Spoil area S 40-1 On Sept. 4 the Huffman Construction Co. reported they would require the use of this spoil area within ten days and that the diking contractor had not started work. The Navigation District notified the diking contractor of the dredging contractor's schedule and directed that action be taken to meet the diking contract completion date. Mr. Lanius reported that he had been delayed by prohibition on the movement of construction equipment on the highways over the Labor Day weekend but that he had started construction on Sept. 4 and should complete the diking without delaying the dredging contractor.

(b) Spoil area S 37-1 Diking was finished and 50% payment made on Sept. 7. The Contractor was directed to restore a drainage ditch on the outside toe of the dike. He submitted an estimate of cost of this work for consideration by the Board of Commissioners.

(c) Spoil Area S 35-4 A resident in the vicinity of the spoil area objected to the apparent height of fill to be placed in the location of the bulkhead line. He was advised that material would be placed no higher than 2' below the top of the dike. (Mr. Lanius proposed to add an additional foot of dike to assure fill would be maintained.) The objector was assured that the Navigation District would restrict the fill to behind the bulkhead line.

LANDS

Charlotte County - On Sept. 6 the Director met with Colonel H.J. Kelly, Assistant Director State Board of Conservation, to discuss spoil areas in the vicinity of the Englewood Bridge.

Sarasota County Section 2 - Spoil area S-4 - The Corps of Engineers furnished estimate of \$18,000 as contribution required to eliminate spoil island S-3 and place all material intended for spoil areas S-3 and 4 upon spoil area S-4 and Bank of Orlando property to the northwest of spoil area S-4.

Spoil area S-9 - Sarasota County reported that Block 38 of Manasota Land & Timber Co. Subdivision southeast of the Manasota bridge was acceptable to SRD as a borrow area for the east abutment of the Manasota bridge. The County asked if it could be arranged that the amount of material borrowed would be replaced during the construction of the waterway. The Corps of Engineers stated that the dredging contractor would be required to replace this borrow and asked for quantity involved. The County obtained SRD estimate that 15,000 yards would be the maximum amount required.

Section 3 Hatchet Creek - Mr. Ben Dunn asked whether the small inlet north of Fisherman's Wharf had been designated as a spoil area. He was informed that it was too small for such designation. Mr. Dunn was furnished a statement if he wished to fill this area the Navigation District would not object to obtaining fill on the right-of-way south of Fisherman's Wharf but that he would have to get permission from the fee owners of the area to be dredged and must obtain necessary permits.

Section 4, Consent to Spoil on Beach - Owners requested to indicate their consent to use of beach spoil areas raised various questions which were answered. Two owners indicated they would not grant consent unless they were protected from damages which might result from leakage or breakage of pipeline in adjacent pipeline easement. The District Engineer furnished information that such damage was a responsibility of the contractor in accordance with specifications. Mr. J.K. Hill of Nokomis reported that his tract and two adjacent ones (on mainland approximately 3000' north of Albee Road) were available as spoil area and that the owners desire spoil. Upon investigation Mr. Merrin was requested to prepare necessary sketches so that spoil area easement could be obtained and offered to the Corps of Engineers.

Spoil area 24-4B - Spoil area easements were revised to provide for double rather than single ownership.

Spoil area 24-4C - Discussions continued with the owner and a potential buyer on the extent of area to be filled.

Spoil area S-31 - County indicated a desire to participate in the permissions granted for the crossing of the "roller-coaster" road of lower Siesta Key. Mr. Dye suggested to the County attorney that the County prepare a letter of permission to the Navigation District, thus indicating that the county claim rights in the area in question.

Spoil area S-34 - On August 28 the Trustees of the Internal Improvement Fund approved the deposit of material on the Sanderling Beach area as a beach nourishment program with the upland owners being required to purchase only that portion of the submerged lands which remained filled after two years. The upland owners were of the opinion that the proposal would not protect their riparian rights, so this spoil area is considered no longer feasible. - - Mr. DeFrancis, upland owner on the mainland east of the spoil area, has requested reconsideration of his property as a spoil area to eliminate or reduce the island area. Mr. Merrin met with Mr. DeFrancis on Sept. 11 to prepare information for discussion with the Hendry Corp. - - The Huffman Construction Co. advised the Navigation District that a proposal to move spoil island S-34 west to the edge of the right-of-way would be feasible only if the material on the edges of the revised spoil area were suitable for erecting a dike before dredging.

Bay Island - Huffman Construction Co. asked if Navigation District would approve placing spoil along the northeast shore of Bay Island (west of Siesta Key bridge). Contractor was informed that normal procedures for changing a spoil area must be followed, that the Navigation District would be guided principally by the desires of the City of Sarasota.

Pinellas County - P-34. Mr. Rodriguez, attorney for the owner, corresponded with Mr. Dye on extending the spoil area to include submerged lands to the right-of-way.

UTILITIES

Venice Water Supply - Dr. Robert O. Vernon, State Geologist, furnished the location proposed for 5 monitor wells as well as description of the above-ground structures which would be required. He was provided an estimate of the possible costs of remedial measures to protect the existing water supply. Dr. Vernon met with the officials of the City of Venice to discuss his findings on the Venice water supply study.

Senator Randolph Hodges and Dr. Vernon informed Mr. Simmons that Dr. Vernon would be available to advise both the City of Venice and the Navigation District and to arbitrate any differences of opinion as to steps required to safeguard the water supply.

Utility lowerings - Mr. Frank Lanius obtained estimates from two contractors as to the cost of lowering the Venice Avenue water and sewer lines. These estimates were \$30,360 and \$19,375.40.

BRIDGES

The Corps of Engineers issued public notices that the State Road Department have applied for permits to protect the Stickney Point and the Blackburn Point Bridge piers required by construction of the Waterway.

ADMINISTRATION

The House of Representatives Appropriations Committee recommended an appropriation of \$900,000 for continued construction of the Waterway.

The Director furnished to Sarasota Water & Navigation Control Authority a statement of no objection to a proposed fill and bulkhead line change at Riegel's Boat Yard on Siesta Key.

As directed on August 30 the Director wrote to Senator Holland expressing the support of the Board of Commissioners of all Florida waterway projects found to be feasible economically.

The Board of Commissioners held a special meeting on Aug. 30 and passed five resolutions answering five specific points covered by the City of Venice resolution of July 31, plus an additional resolution outlining the reciprocal requirements of the Navigation District.

The Director spoke before the Bradenton Junior Chamber of Commerce on August 27.