

The September meeting of the Commissioners of the WEST COAST INLAND NAVIGATION DISTRICT was held on September 13, 1965 at the Manatee County Office Building.

Present were:

A. L. Anderson, Vice Chairman, Pinellas County
 Ellsworth G. Simmons, Chairman, Hillsborough County
 Mrs. Dorothy R. Flowers, Secretary, Charlotte County
 Ralph S. Clark, Treasurer, Manatee County
 Robert M. Wright, Sarasota County
 Kenneth W. Daniels, Lee County

George Kumpe, Executive Director
 Dewey A. Dye, Jr., General Counsel
 Joe K. Merrin, Engineer
 Gilbert A. Smith, Counsel

Absent were:

J. Hardin Peterson, Sr., Special Counsel

ADMINISTRATION

The Chairman called the meeting to order at 11:00 a.m. Minutes of the August 9 meeting were approved. The Treasurer's Report was read and accepted. Vouchers #4222 through #4252 were approved for payment. After approval of the current bills the Director noted that the settlement of the footbridge condemnation reduces the checking account of the Navigation District to approximately \$20,000. He stated that the District has \$100,000 available in 90 day time deposit and suggested that the proper officials be authorized to issue a warrant transferring a portion of this time deposit to the checking account if the need becomes apparent. Motion was made to this effect and passed unanimously.

PROGRESS REPORT

The Director reported that on August 31 the contract for Section 2 was completed physically, and was 97% complete on

the basis of payments. In Section 3 the contract was 3% complete at the end of the month. During the month maintenance dredging in Pinellas County was completed, and the contract was 87% complete on the basis of payments.

The Director reported that corrective action by the contractor in S/A S8 had been completed and that the dredge has been moved north of the Manasota Bridge where a shoal had been found. This work has been completed and the contractor authorized to move the dredge. It is expected that other corrective work in Charlotte County will be completed during September. This work involves the placement in spoil areas of material which came to rest outside the limits of the areas.

The Director noted that advise is expected during the month from the Corps of Engineers that nor further use will be made of spoil areas. The District will then be in a position to take corrective action considered justified and within the legal authority of the District. Many complaints have been received, principally upon the existence of the dikes constructed by the Navigation District and upon silting. Observation of these dikes indicates that they are being eroded. The Chairman inquired as to the possible cost and legal rights of the District in removing the dikes. Mr. Dye replied that WCIND "had the legal responsibility to put the dikes there, and can legally remove them." Mr. Wright suggested that while the District is considering removal of the dikes it should also provide a channel next to the shoreline. He said navigable water existed along the shore prior to the dredging. The attorney was instructed to make a legal check of the District's obligations and authority and to furnish the Board with a written opinion as to same. The engineer is to determine feasible correc-

tive actions and the estimated costs involved.

The Director reported that at the August 9 meeting a committee was named to make recommendations as to the possible disposition of spoil developed from the waterway and placed in spoil areas owned by the District. The committee visited Section³ on August 13 and furnished each Commissioner a number of recommendations. After some discussion it was agreed to defer action on these recommendations until further developments require specific action.

The Director reported that at the August 9 meeting a committee had been named to recommend procedures to be followed in utilization of property owned by the Navigation District. The particular problem concerned an application for permission to excavate in the District property south of Venice Avenue to provide access to the waterway. After an investigation the committee then decided that Mr. Dye should determine from other State agencies their procedures and policies in similar circumstances. Accordingly, no recommendation was made.

The Director submitted the contents of a letter received from Mr. John K. Maddin, Manasota Key, regarding a newspaper report of the August 9 meeting. Mr. Maddin interpreted the report as indicating that the Board of Commissioners opposed the provision of access channels across submerged land to the waterway, and requested that the letter be introduced into the record. The Director had answered Mr. Maddin explaining that the newspaper report referred to District-owned uplands and that the District supported access to the waterway, without committing it to financial assistance for such access.

The exchange of correspondence was noted and accepted for filing.

Mr. Dye submitted a formal resolution, ^(p 85, Annex to WCIND minutes) outlining the action of the Board in approving the exchange of lands among three spoil areas in the Venice area so that each of them would be of maximum utility and so that the District would have access to a public highway. Mr. Anderson recommended that the fourth paragraph be changed to read "similar in nature and equal in value" in lieu of "similar". The resolution was adopted as amended.

Mr. Dye reported that Mr. Gilbert Smith had worked out a settlement with the South Venice Civic Association, Inc. for all of their interest in the access easements and footbridges leading from South Venice Subdivision to their two beaches. The matter has been in litigation in the suit of WCIND vs. W & A Construction Co., et al, and the Association has agreed to accept \$150,000 in full settlement of their interest together with the payment of their attorneys' fee in the amount of \$4,500. Mr. Dye and Mr. Smith noted that the value of the interest acquired by the District had been appraised at \$148,900 and they recommended approval of the settlement. The attorney pointed out that the settlement would be accomplished by stipulation in court with a final judgement to be entered approving the settlement and directing disbursement of the funds from the court deposit in the suit. Mr. Anderson moved that the recommendation of the District's legal staff be approved, subject to concurrence of the presiding judge. The motion was passed unanimously. The Director was authorized to place additional funds in the court deposit if necessary.

The Director reported that in accordance with the legislation recently passed placing all Navigation Districts "under and subject to the control and supervision of the Board of Conservation", the District has been directed to adapt its budget

in conformity to instructions of the State Budget Commission. Mr. Simmons advised that he had discussed the matter by telephone with Senator Hodges and Col. Kelly, Board of Conservation. Mr. Simmons suggested that the Board authorize the Chairman to write to the State Board of Conservation acknowledging receipt of State Budget instructions, sending a copy of the budget WCIND is operating under, and assuring the Board of Conservation of the District's willingness to cooperate. The Chairman was authorized to act as he had suggested. The Director was instructed to keep records of all costs incurred since June 25, 1965, the effective date of the legislation, for use in applying for funds appropriated by the legislature to match expenditures from millage revenue of the District.

Upon motion duly made and unanimously carried the Progress Report was approved and accepted.

NEW BUSINESS

The Board received a request from the Aquatite Concrete Company requesting a letter from WCIND stating that it has no objection to proposed re-zoning of Aquatite's property on the Bypass north of Venice. The Board authorized Mr. Dye to file a statement on behalf of Board after review with Mr. Wright.

Mr. Dye submitted a recommendation to modify the previous agreement regarding employment of Mr. John R. Van Norman, Jr., to the effect that he be placed on an hourly basis at \$6.50 per hour as needed, instead of fulltime. The recommendation was approved.

The Director reported that before the next meeting it

is planned to distribute to the Commissioners a draft of the annual report for the year ending September 30, for their action at the October meeting.

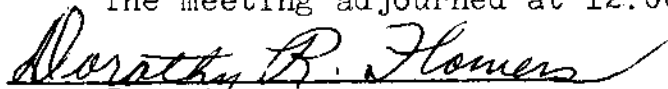
The Director reported that the State Road Department has proposed rebuilding the Stickney Point bridge so that the Corps of Engineers must shift the permanent channel alignment about 100' to the west. The new channel requires additional canal right-of-way which has been appraised to cost between \$11,000 and \$15,000. Mr. Dye commented that it is the District's obligation to engineer all right-of-way and spoil areas required by the Corps of Engineers. The revised channel location will minimize bridge right-of-way costs and will permit almost uninterrupted waterway and vehicular traffic during construction of the new bridge. Acquisition of right-of-way required by the Corps of Engineers was approved on recommendation of the Director and the legal department.

Mrs. Flowers requested that the Coast Guard be urged to place channel markers in Section 2 as soon as possible. The Director was instructed to write the Coast Guard urging expediting work on this project.

Mr. Dye announced a meeting on September 17 sponsored by the Tampa Port Authority in honor of the Boards of Commissioners of the Suwanee-Anclote and the Pig Bend Navigation Districts. Mr. Simmons extended an invitation to all members of WCIND to attend.

Next meeting was set for October 11 at 11:00 a.m. at the usual place.

The meeting adjourned at 12:00 noon.


Secretary


Chairman

PROGRESS REPORT

9 August - 13 September 1965

CONSTRUCTION

Construction Progress: Section 2 - During the month the contractor excavated 219,105 cu. yds. and advanced 4517 linear feet. The initial construction was completed on August 26. *97% complete*

Section 3 - The contractor continued operations preliminary to dredging. As of August 31 the contract was 3 % complete.

Maintenance Dredging - During the month the contractor excavated 295,214 cu. yds. and advanced 39,778 linear feet, completing required work in Pinellas County. Maintenance work at Midnight Pass in Sarasota County, expected to require three days, will be performed early in September. As of August 31 the contract was 87 % completed.

Construction Operations: Section 2

Charlotte County Spoil Areas - Subcontractor replaced in spoil areas spoil which had flowed beyond the limits of spoil areas.

S/A S6 South - Owners of tracts at the south end of the spoil area repeated objections to conditions caused by shoaling of existing basins and access channel.

S/A S8 - On completion of initial dredging contractor moved to S/A S8 and removed all material within 200' of the dike, placing this material to the north and south of the previous fill.

S/A S11A - Complaints were received on conditions existing at the pocket between the two areas of fill. The contractor was required to enlarge the opening in the dike.

Construction Operations: Section 3 - Five of the six culverts are under construction, diking in S/A's S3-3 and 3B has been completed, S/A S3-6 is being cleared. Right-of-way has been cleared north to Center road. The contractor awarded a subcontract to the National Blasting Company for the excavation of 134,000 cu. yds. of material.

Construction Planning: Section 3 - City of Venice was furnished information on the connection of existing drainage between the east end of Tampa Street and the waterway.

LANDS

Section 3 - On August 13 inspection was made of the area proposed by Mr. Sutton for connection to the waterway across WCIND property.

Section 4: Right-of-way - SRD was furnished right-of-way information in the vicinity of Stickney Point.

BRIDGES

Manasota Bridge - Was substantially completed at the end of the month.

Footbridge - The South Venice Civic Association, at a meeting on August 16, agreed to a total settlement of \$150,000 plus attorney fees, occasioned by the removal of the footbridge. Necessary agreements were prepared for consideration by the Board of Commissioners on September 13.

UTILITIES

Venice Water Supply - Executed agreement on additional monitor well and easement for well site was forwarded to Florida Geological Survey and U.S. Geological Survey on August 18.

ADMINISTRATION

Director visited Jacksonville on August 10 to discuss Section 4 right-of-way and Section 2 problems.

CE announced a change in successor to Maj. Gen. A. C. Welling. The new Division Engineer of South Atlantic Division will be Maj. Gen. George H. Walker.

Disposal of Spoil - Committee named at August 9 meeting visited Section 3 S/A's on August 13.

Artesian Well - in canal right-of-way north of Venice Avenue has been closed temporarily. Based upon recommendation by CE, study is being made on relocating the outlet away from the canal.

Time Deposit Agreement in Bank of Palmetto was extended 90 days.

Mr. Broadfoot, CE Area Engineer, met with the Director on August 20 on Section 2 matters.

Appropriations - Senate passed the Public Works Appropriation Act on August 23, concluding Congressional approval of \$1,200,000 requested for the West Coast Waterway.

Budget - The Director of the State Board of Conservation issued instructions on budgetary procedures to be observed as a result of legislation passed placing all Navigation Districts under the State Board of Conservation. Staff is preparing necessary data as requested.

Condemnation Section 4 Right-of-Way - Unused portion of court deposit, \$4093.00 was received from Clerk of Circuit Court, Sarasota County.