

The November meeting of the Commissioners of the WEST COAST INLAND NAVIGATION DISTRICT was held November 8, 1965 at the Manatee County Office Building.

Present were:

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

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

Absent were:

Ralph S. Clark, Treasurer, Manatee County  
 J. Hardin Peterson, Sr., Special Counsel

#### ADMINISTRATION

The Chairman called the meeting to order at 11:00 a.m. Minutes of the October 11, 1965 meeting were approved as presented. The Treasurer's Report was read and accepted. Vouchers #4277 through #4312 were approved for payment.

#### PROGRESS REPORT

The Director gave the progress on construction contracts during October. He reported that the CE had formally accepted the Parkhill-Goodloe contract for Section 2 on October 8. In Section 3 preparation for dredging continued along with construction of culverts and clearing of right-of-way and spoil areas. The contract was 5% complete as of October 31. He reported that the National Blasting Company had started excavation in the section

of the waterway south of Venice Avenue, with all blasting being checked by seismograph to determine if objectionable shock waves are being released.

In connection with the participation by the Navigation District in the local interest share of the improvement of passes to the Gulf under the "Small Projects" procedure, the District still has not received a requested opinion from the Attorney General as to the legality of District participation in such projects. In accordance with the resolution passed at the October 11 meeting, funds can be made available to Pinellas County as soon as tax receipts and Attorney General ruling permit.

The Director reported that temporary channel marking had been completed in Section 2 north to the end of Cut S1, near S/A's S4 and 5. Advertisement of contract for permanent marking is held up for wage rate determination.

The Director reported that Federal funds for continued construction of the waterway were included in the Public Works Appropriations bill signed by the President on October 28.

The Director noted that in the past questions have been raised as to the obligation of bridges to be opened for vessels due to certain non-essential equipment on the vessel. Regulations provided that in such cases bridges must be opened but that the bridge tenders are to report the names of such vessels

and the owner may be required to remove or to lower the equipment in question. The CE has confirmed that these regulations are intended to apply to the West Coast Waterway, and is processing a change which will make the application to the West Coast Waterway unquestionable.

The Director reported that the District is still awaiting an opinion from the Attorney General on whether or not the District may remove dikes it had erected in accordance with CE specifications in Section 2. On November 2, Mr. Wright and the Director discussed with residents of Manasota Key the proposed relocation of the Manasota road. It appears that if Sarasota County is going to undertake a major highway fill program that the much smaller project of dike removal might well be included in the County road program, with the District contributing the estimated cost of removal of dikes. If the Manasota road project is not undertaken it appears that the dike removal problem will remain primarily the District's. Mr. Anderson asked whether a favorable opinion that the District might remove the dikes would grant authority for a contribution by the District to Sarasota County. Mr. Dye answered that he felt a favorable opinion from the Attorney General that the District could remove the dikes would permit financial participation by the District in the Sarasota County program to the extent that the proposed County project resulted in the removal of dikes.

Mr. Dye reported that of 65 questionnaires which were mailed to residents of Section 2, regarding their desires as to removal of the dike, only 15 have been returned; 14 of which wished the dike to be removed and one did not. He pointed out that the deadline date on the questionnaires was November 17, but that some of the residents have informed the District that they can not make a decision by that time. Mrs. George W. Wiard was present and remarked that being a resident of Manasota Key, she and other residents felt that rather than sign something which was not satisfactory to them they did not sign anything. She suggested that the residents of the area might be willing to be included along with the County and WCIND in sharing the expense of dredging, in order to have fill extend from the mainland to the dike. Mr. Simmons answered that there are probably those that are not financially able and others unwilling to make the contribution required. He informed Mrs. Wiard that the District would have no objection to anyone filling the area at his own expense, so long as it was not in conflict with local regulations and ordinances. Mrs. Wiard also stated that several owners would oppose an exchange of highway right-of-way unless they were assured that the road project would leave these owners a useable upland area east of the road. The Director commented that this desire of the owners was a matter for negotiation between them and Sarasota County and was not a matter for District

involvement. Mr. Herbert L. Jensen also appeared before the Board and presented a written suggestion regarding corrective action in S/A S8. Mr. Simmons expressed appreciation, on behalf of the Board, for the patience of the people in the Lemon Bay area, and explained to the individuals present that the District wishes to do what is in the best interest of everyone. The Chairman recommended that a special meeting be held after Attorney General's opinion is received. Motion was made to this effect and was passed unanimously.

The Progress Report was accepted.

#### NEW BUSINESS

Mr. Dye reported on the Florida Waterway Association Convention, November 18 through 20. A motion was made that members of the Board and the Director and Attorney may attend the meeting at District expense. The motion was passed.


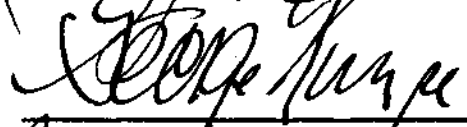
Mrs. Flowers requested permission, for the Regatta Committee of Charlotte County, to dredge a submerged flat in Lemon Bay near the Englewood Bridge. It was unanimously agreed that if spoil were to be removed outside of District right-of-way while there was no objection the District was not involved in granting authority.

Mr. Anderson reported that the CE has advertised the Johns Pass and Pass-a-Grille projects, with bids to be received December 9, and work to start in January.

The next regular meeting was set for Monday, December 13,  
at 11:00 a.m.

The meeting adjourned at 11:45 a.m.

  
Chairman

  
  
ASST Secretary

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PROGRESS REPORT

11 October - 3 November 1965

CONSTRUCTION

Construction Progress - In Section 2 the Parkhill-Goodloe contract was formally accepted as of October 8. In Section 3 preparation for dredging continued. The contract was % complete as of October 31.

Construction Operations - In Section 3 work continued on construction of culverts and clearing of right-of-way and spoil areas. The National Blasting Company, subcontractor, started excavation in the section of the waterway south of Venice Avenue. All blasting is being checked by seismograph and no objectionable shock waves have been noted. The contractor has requested authority to dispose of the larger pieces of rock by placing them above high water along the beach south of the airport. The construction of culvert 4 immediately south of Center Road has required close coordination between Norfolk Dredging Co. and the bridge contractor.

The owner of several lots immediately south of S/A S3-3 has complained about the diking of the S/A. He was advised that the diking is in accordance with the terms of the contract.

Claims Section 2 - Notices were sent out to property owners in S/A S8, 10A & 11A, upon whose tracts no fill had been placed, asking whether or not they desired dikes to be removed. Objections to the notice were made both as to the time limitation of November 15 for an answer and the apparent definite solution proposed for disposal of dike material.

Investigation of the problem of dike removal confirmed a major difficulty in finding any satisfactory method of disposal of dike material. The alternatives of removal by dragline and by hydraulic dredge are being studied.

Residents in S/A S8 met with Mr. Dye and the Director on October 25 and Mr. Smith and the Director visited S/A S6S, C and 10A on the 27th. Mr. Dye visited the office of the Attorney General on October 12 in connection with the authority of the District to remove the dikes. An opinion was requested but had not been received as of November 3rd.

On November 2nd the Director attended an informal meeting of several County Commissioners and the Manasota Key Association at which the Manasota Key road was discussed. The Director expressed the desire of the District to cooperate in programs of other

governmental agencies to the extent it may legally. The meeting was inconclusive as residents indicated that they would not grant Sarasota County alternate road right-of-way until complete information was available regarding the construction, the effect on the Bay front and dike removal.

Construction Planning Section 3 - Attorneys for Eagle Point, Inc. and the Seaboard Airline Railroad have reached agreement on use of the railway embankment as the east dike of S/A S3-8.

LANDS

Section 3 - The Trustees of the Internal Improvement Fund requested the CE to defer action on a permit application for fill in the right-of-way at Fishermans Wharf, Venice.

Section 4 - The CE confirmed that decision has not yet been reached on right-of-way requirements at Stickney Point.

Section 5 - Study is under way to correct an apparent encroachment on the right-of-way near cuts P11, 12 & 13. The CE is also checking this matter.

Study is under way on the form of permanent real estate records.

ADMINISTRATION

Annual Report was distributed on October 20, acknowledgements have been received from Senators Holland and Smathers, Mr. Haley and Secretary Adams.

Small Projects - Mr. Dye's visit to the office of the Attorney General on October 12 included a request for a ruling on Navigation District participation in the improvement of passes to the Gulf, as "small projects".

Aids to Navigation - Mr. Demeritt, Coast Guard, Miami, called on the Director on October 13. Installation of temporary markers (buoys) started November 2. Advertisement of contract for permanent marking is held up for wage rate determination.

Appropriations - On October 28th the President approved the Public Works Appropriation Act, which included \$1,200,000 for the West Coast Waterway.

Artesian Well - Modification of piping at well in right-of-way



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north of Venice Avenue is scheduled to start on November 1st.

Audit - of the District for the two years starting October 1, 1963 started on October 28.

Bridge Regulations - Copy of Federal Register notice regarding bridge regulations was received. CE was asked to have these regulations modified so that they would apply unequivocally to the West Coast Waterway. The regulations refer to vessels carrying non-essential equipment which requires otherwise unnecessary bridge openings.