

The April meeting of the WEST COAST INLAND NAVIGATION DISTRICT COMMISSIONERS was held April 8, 1963 at the Manatee County Office Building.

Present were:

- Ellsworth G. Simmons, Chairman, Hillsborough County
- A.L. Anderson, Secretary, Pinellas County
- Irwin Klemmer, Treasurer, Manatee County
- H.H. Anger, Charlotte County
- Mack H. Jones, Lee County
- Boyd R. Gernhard, temporary representative Sarasota County

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

ADMINISTRATION

The Chairman called the meeting to order at 11:05 A.M. and welcomed Mr. Gernhard who was representing Sarasota County for this meeting, pending the designation of a permanent Sarasota County replacement for Senator Warren S. Henderson. Minutes of the 8 March 1963 meeting were approved as presented. The Treasurer's Report was read and approved. Vouchers #3338 through #3372 covering current bills were approved for payment.

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Mr. Klemmer moved that a resolution/of appreciation be sent Senator Henderson for his service on the Board with a copy to the Board of County Commissioners of Sarasota County. The motion carried with the unanimous endorsement of the Board members.

The Chairman said that he had been asked for the work program from Boca Ciega north to Tarpon Springs and from Anna Maria south to Venice. The Director gave the Section 5 report of construction progress and said that Sec. 5 should be finished early this spring, and that Section 4, Tampa Bay to Venice Inlet, was

expected to be completed in the next two months. In this connection Commissioner Anderson noted the delay in completion of the Sec. 5 contract and moved that the Corps of Engineers be urged to take all necessary steps for completion of this job as expeditiously as possible in the interests of the project. The motion carried.

#### HEARING OF INDIVIDUALS

Mr. Richard S. Sparrow, attorney for residents of Sabel Palms Subdivision, appeared with Mr. Hagin and questioned the right of the contractor to fill the drainage ditch which flows through spoil area S 35-1. The Director said that one of Mr. Merrin's assistants had reported that drainage was flowing into an enlarged mosquito ditch. Mr. Hagin disagreed but said that it would in extremely high tide. They asked if the Navigation District Board could assist in having the contractor cease from any further encroaching on what appears to be a natural ditch. Mr. Merrin pointed out three mosquito ditches in the area but Mr. Sparrow said without the main ditch being open there would not be adequate storm drainage. Mr. Ralph Davis said that if one of the owners, General de Armond, would permit it one of the mosquito ditches could be deepened to give drainage. Chairman Simmons asked how the Board could be of service. Mr. Anderson moved that the matter be referred to the attorney, the engineer and the Director to work with Sarasota County and see if they can come up with a satisfactory solution. The motion carried.

Colonel Fred B. Chamberlain, new president of the Manasota Key Ass'n., reviewed the facts on spoil areas S-11 A, B & C.

He gave a resume of activities during the last three years with respect to spoil areas on the key. He asked that if the matter of these spoil areas cannot be settled at this meeting that at least a clear statement of policy be made. Chairman Simmons expressed appreciation for the work that has been handled locally and said that conditions of dredging had not changed but that "we have learned a lot more about it in the last three years." The matter of obtaining areas that were contiguous was discussed, also responsibility for diking and for damages to structures such as docks and boathouses in the spoil areas. It was felt that if these matters could be explained in writing it would help the property owners to know what can and cannot be done. Commissioner Jones moved that the staff prepare an outline of the requirements and that mimeographed copies be given to the property owners with the opportunity to sign easements. The motion carried. Based on commitments received as a result of this work the District can advise the Corps of Engineers what areas are available. Mr. Norman Six and Colonel Chamberlain thanked the Board for their consideration of the problems.

#### PROGRESS REPORT

Commissioner Anger reported that condemnation suit had been filed for remaining right-of-way at the Englewood Bridge with order of taking April 20. He felt it would be settled without any legal action being taken. He asked if certain commitments could be made for spoil and was told to work with the Director.

The resolution on bond validation for the Albee-Manasota bridges has been passed by Sarasota County. Mr. Gernhard said the County "has complied with all requirements, necessary right-

of-way is being acquired." Mr. Dye was asked to follow through to see if there was any other requirement by Sarasota County. Mr. Gernhard asked that the County be notified if there were anything not done.

It was reported that the City of Venice has received the deed of release from FAA; transfer documents are being reviewed by the City attorney and will probably be signed this week. Mr. Dye noted that the previous deed from the City to WCIND should be conveyed back to the City before the new deed was received. The motion was made and carried that if proper easement had not been drawn up that it be done and the Chairman be authorized to sign it on behalf of the Board.

The Navigation District \$3,250 contribution to the monitor wells (included in the current bills) was discussed. Also the easement for the wells has been received from the Board of Public Instruction.

The Director reported that a letter had been received during the month from the Corps of Engineers on the Cats Point project for extending the Skyway borrow channel north from its present junction with the waterway along the west and north side of Boca Ciega Bay to rejoin the waterway near the Narrows. The Navigation District had agreed informally to meet the obligation of local interests including an estimated contribution of \$22,500. It was pointed out that this work would be done under the small projects program but that federal money will not be available this year.

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Resolution/was passed that the Navigation District would make the contribution when it was called for with a copy of the resolution and a statement of the financial condition of the District to be forwarded to the Corps of Engineers.

Regarding the proposal of the Florida Waterways Ass'n., for a display at the New York World's Fair at a cost of \$200,000, the Commissioners felt that as the West Coast Waterway was not completed and that while it was beyond the "hope stage" participation by WCIND was not yet justified. Mr. Anderson moved that the District not contribute to the project. The motion carried.

Mr. Dye said that the proposed millage legislation had been drawn and advertised. Chairman Simmons asked if this legislation could be offered to the delegation without confusing or jeopardizing present legislation. No Commissioner offered any objection to offering the legislation and Commissioner Anderson said he believed it would eliminate a constitutional question on the present Act. Motion was made and carried that copies of the proposed legislation be sent to each Senator and House member and ask them to get together on it and handle it as they saw fit.

The Progress Report was accepted.

#### NEW BUSINESS

The State Road Department and the Corps of Engineers have approved plans and specifications for dredging at the Siesta Key bridge. This work is WCIND responsibility as it could not be accomplished by the waterway contractor because bridge protection work had not been completed. The very small yardage to be removed and the hope that the work can be done so as to not interfere with the tourist season was discussed. Motion was made and carried that the timing be coordinated with the Sarasota County representative and to proceed with advertising of the work.

The Director reported that Pinellas County had asked for a proposed budget from all agencies by May 10. Commissioner Anderson, a member of the budget committee, said this information would not be needed until after the May meeting.

Mr. Gernhard commented on spoil areas in residential areas. In several cases the amount of spoil had been up to 50% greater than originally anticipated. Efforts are being made to reduce this spoil to unobjectionable height.

The meeting adjourned at 12:45 P.M.

  
Chairman



Secretary

## PROGRESS REPORT

8 March 1963-8 April 1963

CONSTRUCTIONProgress - During the month of March:

Section 5. Gahagan has advised the Navigation District that they are utilizing a 6 cubic yard drag line and a small dredge to complete this section of work. No delay in completion is expected. At the end of March the contract was 90% complete.

In Section 4 the contract dredges excavated 603,052 cubic yards of material and advanced 13,125 linear feet. On March 31 the contract was 92% complete.

Operations, S/A S-22 (Caspersen) - The Sub-contractor requested authority to use this spoil area (whose acquisition by WCIND had never been completed). Sarasota County concurred in the request as long as 45 to 60,000 cubic yards of fill were placed on spoil area S-23 (Rattlesnake Island). The contractor met this requirement. Formal approval from the District Engineer is in process.

S/A S 22-1 (Eagle Point Inc.) - Based upon negotiation with the owner both portions of this spoil area were utilized.

S/A S 27-1 (Sarabay Acres) - The complaint by the owner immediately to the north of this spoil area that spoil had been placed upon his property was confirmed. The sub-contractor is removing objectionable spoil during week of April 1.

S/A S-30 (Palmer Interests) - The sub-contractor is working with the Corps of Engineers on overflow from the spoil limits.

S/A S-31 (Beebe, Peppe, Holman) - A property owner to the north of the spoil area objected to spoil placed upon his property when silting from the spoil area was removed. The Corps of Engineers is investigating the complaint.

S/A S 35-1 (Bickel et al) - The contractor is obtaining an additional pipeline easement in this area.

Hoffman - The contractor discussed with Mr. Hoffman utilizing a spoil area at the northeast abutment of the Stickney Point bridge but was not able to obtain any property.

S/A S 35-2R (Hocking-Whitney) - Residents of the White Sands Cabana immediately south of the spoil area filed objections to the waste water discharge from this spoil area on to Crescent Beach. On April 1 representatives of the Cabana met with the contractor, Mr. Davis and the Director to discuss the problem. A waste water return to Sarasota Bay appears infeasible. The owner of property east of Midnight Pass Road and southeast of the spoil area filed notice that any damage to his property resulting from a pipeline to this spoil area would be a Navigation District responsibility.

LANDS

Lee & Charlotte County, Sunset Realty Corp. - As directed at the last meeting the Director met with representatives of the company and their engineer at Ft. Myers on March 14 to discuss elimination of island spoil areas. On March 21 the Corps of Engineers was requested to estimate contribution required for this purpose. On March 29 the Corps of Engineers furnished estimate requested earlier for the placement of spoil on company property north of the Lee-Charlotte County line. 160,000 yards of material can be placed as desired by the company for a contribution of \$40,000. This matter was submitted to them for their consideration.

S/A C 28-A (Stanford) - The attorney for the owner asked for information on how spoiling in this area could be assured. He was advised that under the procedures governing the project there was no assurance that a designated spoil area would receive spoil.

Sarasota County, General - Mr. H. Pelham Curtis met informally with Commissioners of Sarasota County and the Director on March 22 to discuss Venetia, Inc. holdings.

Section 2, S/A S-2 (Paulson) - Mr. Davis and the Director examined spoil area S-2 to determine whether an indian mound can be excluded from the spoil area. An adjustment in submerged land acquisition will be required.

S/A S-3(IIF) and 5(Venetia) - Mr. Curtis indicated that Venetia Inc. might be interested in contributing additional pumping costs to place S-3 spoil on S-5. The Corps of Engineers was asked to make an estimate of extra pumping costs.

S/A's S-11 A,B,C - On March 16 Mr. Henderson, Mr. Davis, Colonel Lowery and the Director attended the Annual Meeting of the North Manasota Key Association. The views of residents on whether or not to use these spoil areas or alternate spoil areas on the mainland were discussed. On March 19 Colonel Chamberlain and Mr. Norman Six visited the Director. As new president of the Association Col. Chamberlain provided information indicating that spoil areas 11-A and B were desired. He confirmed this opinion to the Director on March 30. He recognized, however, that there is a group of owners who may object to the spoil area.

Section 3, PL S3-4A (North side Airport) - An easement for this pipeline was submitted to the City.

S/A's S3-4(Industrial Park) and S3-7 (Eagle Point East) - The State Board of Conservation was asked to furnish information on the effect on Hatchett and Curry Creeks of waste water return from these spoil areas. The Corps of Engineers was questioned as to responsibility of the contractor for shoaling in waste water return channels.



Pinellas County, Skyway - Deeds from the Internal Improvement Fund were received on April 3rd. Advance notice for the construction contract was issued on March 19, project was advertised on March 25, bids will be opened on April 25.

Property owners west of the channel were informed that all spoil in initial contract would be placed on Causeway. As advertised, however, one maintenance spoil area has been designated, for use southwest of the southern tip of the Causeway.

Venice - Amendment to the "4-Way" contract was signed by Sarasota County and by the City of Venice on March 12. Formal request from the City of Venice to FAA for the approval of land transfer was sent to FAA, Miami, on March 14. Request was approved by FAA, Atlanta, and was returned to the City of Venice on April 2.

BRIDGES

Englewood Bridge - On March 15 Charlotte County filed condemnation suit for the right-of-way tract still to be acquired.

As approved at the March 8 meeting of the Board of Commissioners, the State Road Department, Bartow, was advised construction of the waterway would require passage of the Englewood Bridge by October 10, 1964.

Manasota Bridge - Mr. Curtis indicated that right-of-way tract owned by the Manasota Land Co. would be conveyed to Sarasota County.

Albee-Manasota Bridges - Sarasota County Board of Commissioners passed the resolution required to permit validation of bonds for these bridges.

Albee Bridge - The Corps of Engineers issued a public notice that for six weeks starting April 15 contractor will be erecting the bascule leaves of the bridge.

UTILITIES

Water Supply - The State Geological Survey billed the Navigation District for \$3,250, half the cost of installing the three monitor wells in Venice. Necessary easements for these wells have been approved by the Board of Public Instruction but the actual easement has not yet been signed.

ADMINISTRATION

Mandamus action against Pinellas County was heard on March 12. A second hearing is scheduled for April 15.

On March 25 the Director visited Tallahassee to attend the Governor's Conference on Florida Water Resources and Developmental Programs. Status of the Waterway was presented, with recommendation and justification for additional \$600,000 appropriation to permit initiation of Section 2.

On March 14 the Corps of Engineers was furnished information on the status of Sections 2 and 3 local cooperation.

S/A S-34 (Coral Cove) - The County executed contract and applied for a Department of the Army Permit to eliminate S/A S-34 by hauling fill to the mainland.

In accordance with instructions at the March 8 meeting Time Deposits were increased as follows:

| Bank                  | Increase                | Total on Deposit      |
|-----------------------|-------------------------|-----------------------|
| Manatee National Bank | \$80,000.               | \$350,000.00          |
| First National Bank   | 100,000.                | 300,000.00            |
| Bank of Palmetto      | 61,000.                 | 200,000.00            |
| Inter City Nat'l Bank | 70,000.                 | 250,000.00            |
| The Island Bank       | 100,000.                | 150,000.00            |
|                       |                         | <u>\$1,250,000.00</u> |
|                       | (Encumbered for bridges | \$450,000.00)         |
|                       | (Unencumbered           | \$800,000.00)         |

Cat's Point Project - The Corps of Engineers requested formal resolution assuring local cooperation and a statement of financial position. This project has been authorized under the Small Projects procedures but no construction funds will be available this year.

Information was furnished to the Inland Waterways Guide for an article on Florida waterways.

The City of Sarasota was furnished information on beach spoil in Section 4.

Florida Waterways Association, at the March 25 meeting in Tallahassee, asked for \$200,000 (\$10,000 from the Navigation District) to finance a 2-year waterways display at the New York World's Fair. Mr. Dye furnished to all Commissioners, his opinion as to the legality of such an expenditure.

The State Road Department, Bartow, furnished to State Road Department, Tallahassee, information which will permit dredging at Blackburn Point Bridge to be included in the pier protection contract.