

The March meeting of the WEST COAST INLAND NAVIGATION DISTRICT COMMISSIONERS was held March 9, 1962 at the Manatee County Office Building.

Present were:

- Ellsworth G. Simmons, Chairman, Hillsborough County
- H.H. Anger, Vice-chairman, Charlotte County
- A.L. Anderson, Secretary, Pinellas County
- L. Elmer Bustle, Treasurer, Manatee County
- Warren S. Henderson, Sarasota County

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

Absent:

- Mack H. Jones, Lee County
- J. Hardin Peterson Sr., Special Counsel

ADMINISTRATION

The Chairman called the meeting to order at 10:05 A.M. Minutes of the Feb. 26, 1962 meeting were approved as presented. The Treasurer's Report of Feb. 28, 1962 was read by Mr. Bustle and adopted. The Chairman suggested that future Treasurer's reports show any amounts which have been encumbered. Vouchers #2980 through #3001 covering current bills were approved for payment. Commissioner Anderson said he wondered if Mr. Merrin's monthly bill might not be more in detail; it was pointed out that detailed records of charges are kept in Mr. Merrin's office, but it was suggested that a supporting document be filed in the District office "to detail the necessity of any expenditure incurred."

PROGRESS REPORT

Construction - The Director reported that during the month of February the Dredge GAHAGAN PUERTO RICO advanced a total of 8,912 linear feet, and removed a total of 185,396 cubic yards of material. The contract was 37.7% complete at the end of February.

Lands - Charlotte County - No problems at present.

Sarasota County - Sarasota County has taken all action required in Lemon Bay, except for the Paulson area. The Attorney reminded Commissioner Henderson that the County's action must be reported to the Trustees. Mr. Henderson said that he would check that this was being done that day.

Mr. Dye reported that right-of-way in Section 4, Sarasota County, has been conveyed to the Corps of Engineers but the Corps does not consider conveyance complete until title insurance is forwarded. Title insurance had been sent to the Corps of Engineers but they questioned the policies having been issued by a branch office. A form agreeable to the Corps of Engineers and the insurance company has now been arrived at and title insurance will be delivered some time during the week of March 12th. The Corps has requested a carbon copy of WCIND order on all title insurance in Section 4, not just right-of-way. Deed for additional right-of-way connecting Venice Inlet right-of-way to the Waterway, approved at last meeting of the Internal Improvement Board, has been received. Instrument has been forwarded to the Corps of Engineers for the permanent spoil area on Rattlesnake Island. Instruments on spoil areas S-32 Alt., S-42 Alt., S-43 and S-44 Alt., were sent

about ten days ago, before it was learned of extension of pipeline pumping distance and the possibility of eliminating S-32 Alt. The Corps has since been requested to eliminate S-32 Alt. from its plans.

All right-of-way and spoil areas in Manatee County have been completed and forwarded. Title insurance has been ordered.

Mr. Dye reported that easements for the nine spoil islands in Sarasota County were received from the Trustees March 7th, copies of the papers have been sent to the Corps of Engineers.

Sarasota County pipeline areas are complete with the exception of one instrument (Prodie); all temporary spoil areas are complete except for two instruments which have been promised, and owners were being contacted March 9th.

Commissioner Henderson stated that cooperation was very good and work was going along on the elimination of the nine island spoil areas. Chairman Simmons asked if the District staff was rendering what assistance it could to keep the work going and Commissioner Henderson said it was.

The Director reminded that the islands will probably be included in the plans to be advertised during the week of March 12 but will be replaced in an addendum to be issued later. The Chairman reminded Commissioner Henderson that any action of the Sarasota Board of Commissioners that would alleviate any of these should be forwarded immediately to the Trustees. Mr. Dye said actions should be sent to the Internal

Improvement Board on March 12 or 13 to be considered at the March 20th meeting as they have to be reviewed before being placed on the agenda. Commissioner Henderson said he would keep in touch with Mr. Dye and Mr. Van Norman.

The Director said that diking costs and pipeline easements should be discussed in Jacksonville the afternoon of March 9th. Mr. Dye gave general figures which he and the Engineer felt would cover the costs on the various areas. The Board had stated that they wanted a statement from the legal and engineering departments that these were the most economical method of acquiring necessary spoil areas. Commissioner Anderson said that in the public interest the Board would be well advised to spend the money on diking to avoid open water spoil islands. The Director noted that some diking under discussion would be on island spoil areas; and that while all possible effort would be made to eliminate such islands the Corps of Engineers had to be informed that diking would be performed if required.

It was estimated that five pipelines would be needed at a cost of \$13,000 per pipeline to extend them beyond low water line, or a cost of \$65,000. It was again discussed that the Board had acted in good faith on acquiring some of these areas and that the Corps had changed its policy. It was felt that the Corps should recognize the fact that the Board had proceeded under their prior ruling and that the Corps should recognize some responsibility in changing its policy, that they have no right to move out from under us on the commitment we were operating under. Staff members

were authorized to take this message to the Corps of Engineers on March 9th.

Commissioner Henderson made a motion that in the event the Corps of Engineers does not live up to what the Board considers to be their obligations that this Board assume the cost of pumping the material into the Gulf because of its prior negotiations with the people involved. The motion carried.

The Attorney listed costs of \$350,000 title insurance for Section 4 at a premium cost of \$10 per \$1000 of insurance and proposed getting the insurance from the Lyter Abstract Company of Sarasota, representing the Commercial Standard Insurance Company, as the Company that would give the best and quickest service. Commissioner Bustle made a motion that the program of title insurance as outlined by Mr. Dye be approved. The motion carried.

Pinellas County - Commissioner Anderson described two spoil areas along the Causeway at Belleair Beach as being very desirable for recreational purposes and said that he and the Park Commission in Pinellas County had been negotiating to get spoil placed on these areas; the contractor for Section 5 had estimated that it would cost \$8,000 to place spoil on the south side and \$13,000 on the north side of the Causeway, providing desirable fill and reducing or eliminating two objectionable spoil islands. He requested the WCIND Board to pay these costs so that this spoil could be placed on the Belleair Beach Causeway, pointing out that Pinellas

County had given gasoline taxes in a sizeable amount to build bridges along the Waterway, that the area to be filled on the Causeway would be for public use and that his request was the only one Pinellas County would make. The Chairman said that Mr. Anderson had very capably presented the matter. The Director stated that it would be about three months before the dredge would be at this point. Mr. Anderson then moved that the presentation be considered by the Board and that at the next meeting Board members be prepared to take such action as they feel is fair. The motion carried.

Commissioner Anderson presented a letter to the Board from Congressman Matthews acknowledging receipt of the Board's resolution in favor of the completion of the Gulf Intracoastal Waterway from St. Marks to Tampa Bay.

Colonel Moomaw and Mr. LeMay, resident of Casey Key, criticised the Board for the handling of the land problems in their area, specifically the nine temporary spoil islands. Commissioner Henderson again pointed out that Sarasota County feels very strongly about island areas. Mr. Simmons answered that some area had to be shown in order to get the contract advertised, but that they would be replaced by alternates as soon as possible, "We seek your cooperation in trying to do what you and we want to do. It's the wish of this Board to cooperate in trying to work out these things and that's what we are trying to do."

Venice - Regarding Mr. Henderson's request at the Feb. 26 meeting for the status of the land program, he was told that Mr.

Peterson had been handling dealings with the Airport Authority and that illness prevented his attending the meeting.

Bridges - Mr. Simmons reported that on March 7th the three-way agreement between Sarasota County, WCIND and the State Road Department was executed and Sarasota County had taken action on their revenue project.

Commissioner Anderson stated that when a copy of the agreement becomes available the Board could then validate the action taken by the Chairman in accordance with authority granted him on March 5th.

Mr. Henderson was given information on private clients of Joe K. Merrin and his employees which he requested at the last meeting.

The Progress Report was accepted.

NEW BUSINESS

The next regularly scheduled meeting was set for April 9. The Board agreed to meet on call before that time, if necessary.

The meeting adjourned at 11:30 A.M.



Chairman



Secretary

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PROGRESS REPORT

February 26, 1962 to March 9, 1962

CONSTRUCTION

The Corps of Engineers requested evidence of authority to cross public submerged land to upland spoil areas. Mr. Dye wrote to Mr. Van Ferguson asking that a general statement of authority for such temporary usage of submerged lands be granted by the Trustees.

Advance notice of invitation to bid on Section 4 was issued by the Corps of Engineers on March 6. Advertisement will be issued on March 16th.

The City of Sarasota was requested to waive any restrictive ordinances on dredging within the city limits.

LANDS

Charlotte County - Copy of a resolution by the Board of County Commissioners of Charlotte County was received reaffirming their support of the authorized route.

Mr. Dye was in correspondence with Mr. W. Van B. Roberts regarding contribution for spoil area C-25.

Sarasota County - Board of County Commissioners approved bulk-head line revisions, purchase applications, and dredge and fill permits in Section 2.

Mr. Dye furnished to the Corps of Engineers right-of-way and perpetual spoil area at Venice Inlet.

On Feb. 28 Mr. Dye, Mr. Merrin, Mr. Van Norman and the Director met with the Board of County Commissioners to discuss the nine island spoil areas requested from the Trustees and to outline possible means of eliminating them. Based upon this meeting the Director determined from the District Engineer that the contractor would be required to utilize upland spoil areas to the maximum required pipeline distance, thus minimizing the size of island spoil areas.

The District Engineer was requested to give some indication of possible cost for the use of the Gregg tract, (Spoil area 35-5) recognizing, however, that the actual cost would be the alternate bid by the low prime bidder. Estimates were also requested of the contribution required if spoil proposed for spoil area S-33 Alt. were placed on S-32 (it has been determined that the owner of spoil area S-33 was not interested in receiving spoil) and the contribution required if spoil for S-34 were placed into the Gulf.



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Survey sketch and easement were prepared for use of the tract S 35-8.

The owner of small island and submerged tract south of spoil area S-40 was informed that the area was too small for designation as a spoil area.

Necessary application for the use of spoil area S 40-1 was filed on Feb. 28.

Mr. Blair, attorney from Venice, was advised that tracts to be used as spoil areas must be large in extent but if a client desired to be considered he should notify the Navigation District; and that all such names were furnished the District Engineer.

Action by the Trustees on deeds for nine island spoil areas and right of way was completed on March 6.

Action by the City of Sarasota on spoil area S-46 was completed on March 7.

On March 8th Mr. Walter Gruhler discussed with the Director the obtaining of fill on previously considered spoil area S-41. Mr. Gruhler was advised of the status of the proposal and informed of procedures for negotiating with the contractor.

Manatee County - Mr. Yerkes, Town Councilman, Town of Longboat Key noted a correction which may be made in spoil area M 7-A.

Manatee County Park, Beach and Recreational Committee asked the contribution necessary to eliminate spoil area M-11 and place spoil on Leffis Key. The District Engineer was asked to make this estimate.

Pinellas County - The Corps of Engineers furnished locations of spoil areas in the southern portion of Section 5 for the Board of County Commissioners of Sarasota County to inspect if they desire.

Mr. Bryant of Gahagan Dredging Corp. furnished Commissioner Anderson estimate of costs involved to eliminate or minimize spoil areas in the vicinity of Belleair Beach.

#### BRIDGES

On March 5 a special meeting of the Board of Commissioners was held to support a State Road Department-Sarasota County-Navigation District agreement on financing Albee bridge.

On March 7 the Board of County Commissioners, Sarasota County, approved the three-way agreement and the same day Chairman Simmons signed the agreement as authorized at the March 5 meeting.