

January 14, 1957

The regular meeting of the West Coast Inland Navigation District was held in the court house in Bradenton, Florida (Manatee County), Monday, January 14th, 1957 at 2:00 p.m.

Present were

Ellsworth Simmons, Chairman  
Herman Burnett, Treasurer  
Charles R. Fischer  
Wilson Pigott, Secretary

Hillsborough County  
Manatee County  
Pinellas County  
Lee County

Dewey A. Dye, Jr., Attorney, Fred W. Ball, Executive Secretary, J. K. Merrin, Engineer.

Matt Weeks, Charlotte County, and E. F. McCann, Sarasota County, were absent.

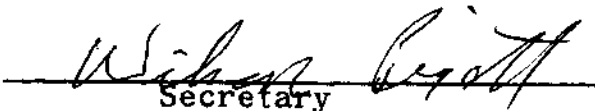
J. Hardin Peterson, Special Attorney, was absent.

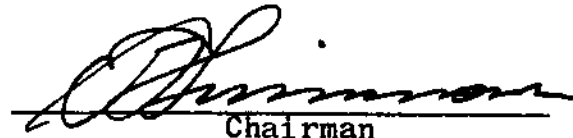
The meeting was called to order by Chairman Simmons.

Minutes of December 10, 1956 and the Special Meeting held in Venice, Florida, December 17, 1956 were read. Chairman Simmons stated that if there were no alterations or corrections, the Minutes would stand approved as read.

The treasurer's report was given by Mr. Burnett and accepted on motion by Mr. Fischer, seconded by Mr. Pigott and carried.

This completed the business of the outgoing Board, thereupon, upon motion made and duly seconded the meeting was adjourned sine die.

  
Secretary

  
Chairman

January 14, 1957

The West Coast Inland Navigation District met in its first regular session of the new year, Monday, January 14, 1957, at 2:30 p.m. with duly appointed members from the counties of Lee, Charlotte, Manatee, Hillsborough and Pinellas present.

Members present were

Ellsworth Simmons  
H. C. Slaughter  
Charles R. Fischer  
Jimmie Miller  
Wilson Pigott

Hillsborough County  
Manatee County  
Pinellas County  
Charlotte County  
Lee County

The County Commissioner of Sarasota County, appointed as representative to the West Coast Inland Navigation District, Edwin F. McCann, was absent due to illness.

The new members were sworn in by M. T. McInnis, Clerk of Circuit Court of Manatee County, Florida.

Fred W. Ball, Executive Secretary, presided over the meeting and called the meeting to order, and stated that nominations for Chairman for the coming year were now in order.

Upon motion by Mr. Slaughter, seconded by Mr. Pigott, Ellsworth Simmons was nominated for chairman. Nominations were closed on motion by Mr. Fischer, seconded by Mr. Slaughter. Upon vote, Mr. Simmons was unanimously elected Chairman.

Upon motion by Mr. Pigott, seconded by Mr. Slaughter, Mr. Fischer was unanimously elected Vice Chairman.

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Upon motion by Mr. Fischer, seconded by Mr. Miller, Mr. Pigott was elected Secretary.

On motion by Mr. Pigott, seconded by Mr. Slaughter, Lobelia Frappier was retained to serve at the will of the Board.

Upon motion by Mr. Pigott, seconded by Mr. Fischer, Mr. Slaughter was elected Treasurer.

Upon motion by Mr. Fischer, seconded by Mr. Slaughter, J. K. Merrin was retained as engineer, to serve at the will of the Board.

Upon motion by Mr. Pigott, seconded by Mr. Slaughter, Dewey A. Dye, Jr., was retained as Attorney (resident and right-of-way) and J. Hardin Peterson was retained as Special Attorney, to serve at the will of the Board.

Upon motion by Mr. Fischer, seconded by Mr. Miller, Mr. Fred Ball was retained as Executive Secretary, to serve at the will of the Board.

Upon motion by Mr. Slaughter, seconded by Mr. Fischer, the office of the Board of County Commissioners, Manatee County, Bradenton, Florida was designated as official meeting place, and the second Mondays of each month designated as the meeting date.

Upon motion by Mr. Pigott, seconded by Mr. Fischer, the bond of Herman Burnett, as Treasurer, was authorized to be released by Wyman, Green and Blalock, and bond of H. C. Slaughter, as Treasurer was authorized approved.

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Mr. Dye was requested to investigate the possibility of obtaining a higher interest rate on time deposits.

Upon motion by Mr. Slaughter, seconded by Mr. Pigott, resolution expressing appreciation of Matt Weeks services as member of the West Coast Inland Navigation was unanimously adopted. *(Recorded Pgs. 8D and 8E.)*

Copies of the agreement with the City of Venice, with supporting maps, were submitted by Attorney Dye. The agreement was read and discussed. Upon motion by Mr. Slaughter, seconded by Mr. Pigott, the agreement was authorized entered into and properly executed.

The question of continuing the one-fifth mill levy as it would affect Lee County after re-valuation was raised by Mr. Pigott. During the discussion following the question of the possibility of lowering the levy as applied to Lee County, Chairman Simmons observed that in the past the larger counties in the District had been carrying the financial burden, and it was in these counties it would not be necessary to purchase right of way. Attorney Dye stated that expenditures for purchase of rights of way would be heavier in the future than in the past and would continue in a higher bracket as negotiations moved toward the City of Sarasota.

Chairman Simmons suggested that the legislators be acquainted with the activities of the District if any effort were contemplated to equalize tax levies.

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Upon motion by Mr. Slaughter, seconded by Mr. Miller, resolution requesting the Trustees of the Internal Improvement Fund to transfer title <sup>in</sup> to submerged land/Manatee County to the District was unanimously adopted. (Recorded page 86)

Upon motion by Mr. Fischer, seconded by Mr. Pigott, the following resolution was unanimously adopted: (Recorded page 86 1/8D)

The engineer's report was given by Mr. Merrin.

Upon motion by Mr. Miller, seconded by Mr. Fischer, Mr. Merrin and Mr. Dye were authorized to work out negotiation regarding the Casperson properties. Mr. Casperson was present and discussed this matter briefly with the Board.

Upon motion by Mr. Pigott, seconded by Mr. Fischer, Mr. Ball was authorized to obtain maps of "Inland Waterways of U. S." for the counties in the district at a cost of \$9.00 each. (For each member of the District.)

Mr. Fischer introduced Dr. J. A. Meese of Dunedin, Florida.

Dr. Meese submitted a resolution from the City of Dunedin requesting the re-alignment of the channel in that area.

Mr. Fischer reported that the Board of County Commissioners of Pinellas County had supported this move by the City of Dunedin.

Chairman Simmons expressed the willingness of this Board to go along with the re-alignment if it was not detrimental to the best interests of the Water way.

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R E S O L U T I O N

WHEREAS West Coast Inland Navigation District is vigorously prosecuting a right of way acquisition program in order to secure all needed right of way for the inland waterway from the Caloosahatchee River to the Anclote River, and

WHEREAS a large portion of the required right of way lies within and under the waters of Manatee County, but a right of way instrument is necessary in order to protect said right of way from further encroachments and questions of title or ownership, and

WHEREAS title to that portion of the right of way required in a portion of Manatee County as hereinafter more particularly described in the attached exhibit, appears to be vested in Trustees of the Internal Improvement Fund of the State of Florida.

NOW THEREFORE, BE IT RESOLVED that the Trustees of the Internal Improvement Fund of the State of Florida are hereby respectfully required to execute a perpetual and assignable easement to the West Coast Inland Navigation District for right of way purposes for the construction and maintenance of an inland waterway as part of the navigable waters of the United States on the property described in the attached exhibit which is by reference made a part hereof.

Passed this 14th day of January, 1957.

WEST COAST INLAND NAVIGATION DISTRICT  
By E. G. Simmons /s/  
Chairman

ATTEST:

Wilson Pigott /s/

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R E S O L U T I O N

WHEREAS, pursuant to due authorization the Commissioners of the West Coast Inland Navigation District, a Special Taxing District of the State of Florida, have had a part of the intracoastal waterway canal right of way in Sarasota County located and surveyed and have designated the same as the Albee Bridge Section of right of way, and have prepared a map showing the location and survey of that portion of said section extending from Lot 14 of Casey Cove Subdivision, PB 7-page 73, Public Records of Sarasota County, Florida through Little Sarasota Bay to Venice Inlet, and

WHEREAS, this proposed route has been approved by the Corps of Engineers of the United States Army as the right of way of the West Coast Intracoastal Waterway for acquisition by said District as right of way in said section,

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the West Coast Inland Navigation District, a special taxing District of the State of Florida, that it hereby approves the location and survey of said portion of said route and directs that a copy of said map of such location and survey certified to by the Secretary and Chairman of this Commission and showing thereon the official seal of this District, be filed in the office of the Clerk of the Circuit Court of said County together with a certified copy of this Resolution;

BE IT FURTHER RESOLVED that it is the judgment of this Commission that the construction of said intracoastal waterway serves a public purpose, that it is necessary, practical and to the best interest of the State of Florida, and that it is necessary that the right of way for said canal for said portion of said route be acquired;

BE IT FURTHER RESOLVED by the said Commission that the District shall immediately proceed in its name to secure by gift purchase or condemnation the lands, or interests in lands, necessary for the right of way for the construction and maintenance of said portion of said route together with any and all areas required for spoil disposal as may hereafter be found and determined necessary.

BE IT RESOLVED that the Attorney for this Board, Dewey A. Dye, Jr., be and he is hereby authorized and directed to proceed to take the necessary steps for the District to acquire in the name of the District by donation, purchase or condemnation said rights of way and spoil disposal areas for said portions of said section of said right of way and to prepare in the name of said District all condemnation papers, affidavits and pleadings and to prosecute all condemnation proceedings to judgment.

Passed in open session at Bradenton, Florida, this 14th day of January, 1957, and certified this date.

(seal)

WEST COAST INLAND NAVIGATION DISTRICT  
By *[Signature]*  
Chairman

ATTEST:

*[Signature]*  
Secretary

\* \* \* \* \*

RESOLUTION

WHEREAS, Matt Weeks of Charlotte County has served as a commissioner of the West Coast Inland Navigation District representing Charlotte County since the formation of this District in 1947, and

WHEREAS, during his tenure the said Matt Weeks has held several offices on the Board of Commissioners and has given faithfully of his time and energy in service on this worth-while project for the benefit of the people of the West Coast of Florida, and

WHEREAS, the said Matt Weeks is no longer serving with the Board of Commissioners and the Board being desirous of recognizing the service which he has rendered to the District,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of West Coast Inland Navigation District that the Board hereby gives official recognition to Matt Weeks, commissioner of West Coast Inland Navigation District from 1947 through 1956, for his diligent and faithful service to the Board and to its project during these many years. Be it further resolved that this resolution be spread at large upon the records of the West Coast Inland Navigation District and be made a permanent part of such records, and that a copy of this resolution be furnished to the said Matt Weeks.

Passed at the regular meeting of the West Coast Inland Navigation District at Bradenton, Florida, this 14th day of January, 1957 and certified as to passage.

WEST COAST INLAND NAVIGATION DISTRICT

By: \_\_\_\_\_

Chairman

ATTEST: \_\_\_\_\_

Secretary



January 14, 1957 (Cont'd)

Motion was made by Mr. Fischer that the U. S. Engineers be requested to re-align the channel in accordance with the resolution adopted by the City Commission of the City of Dunedin, Florida, No. 679, if same could be handled as a modification coming under the jurisdiction of the U. S. Engineers and would not require change in route by Congress. *(filed with Cons. Pinellas Co.)*

Motion was seconded by Mr. Pigott and carried unanimously.

Upon motion by Mr. Slaughter, seconded by Mr. Pigott, all vouchers dated January 14th, 1957 were authorized paid.

Motion was made by Mr. Pigott that resolution be adopted to be filed with local, state and Washington representatives, citing amount of rights of way secured and financial standing. Motion was seconded by Mr. Fischer and carried.

Upon motion duly made and seconded the meeting was adjourned until Monday, February 11th, 1957 at 2:00 p.m.

*W. Fischer*  
Secretary

*J. H. Slaughter*  
Chairman

MINUTES OF SPECIAL JOINT MEETING BETWEEN  
COMMISSIONERS OF WEST COAST INLAND  
NAVIGATION DISTRICT AND CITY COUNCILMEN  
AND MAYOR OF THE CITY OF VENICE, FLORIDA

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A special joint meeting of the commissioners of the West Coast Inland Navigation District and City Councilmen and Mayor of the City of Venice, Florida, was held in the City Hall at Venice, ~~Florida~~ at 2:00 P.M. December 17, 1956. Present, representing the West Coast Inland Navigation District, were Commissioners Simmons, Burnett, Pigott, McCann, Fischer and Weeks. Others present representing the West Coast Inland Navigation District were Mr. Forsythe, the engineer, Attorneys Dye and Peterson for the District, and Fred Ball, executive secretary. Also present was Mr. Jim Wood, county attorney of Sarasota County as the guest of Commissioner McCann.

Present and representing the City of Venice were Mayor Kiernan, Councilman Roebuck, Beaty, Reddy and Brohard. Also present was councilman-elect, E. S. Raymond.

The meeting was called to order by the president of the city council Roebuck. As the first order of business chairman Simmons of the West Coast Inland Navigation District stated generally the proposal of the West Coast Inland Navigation District to <sup>exchange</sup> ~~swap~~ all of the interest of the

West Coast Inland Navigation District in the reserved strip west of the Venice Airport in return for the right of way needed on the east side of the airport. Simmons further stated that he did not think it advisable for either group to take any stand on the southern strip, that is the acreage south of the Venice Airport at this time.

Mayor Kiernan requested that as part of the agreement the City of Venice be given all the rock removed from the right of way. In answer to this request Simmons and Attorney Dye reported that the West Coast Inland Navigation District had no authority legally to agree to this.

Discussion followed as to what position each party should take as to the acreage south of the Venice Airport. The question was asked of Chairman Simmons whether or not the Intracoastal Waterway Board would attempt to obtain this south parcel for itself. Commissioner Simmons answered that he was in no position to make a statement on this property at this time inasmuch as it has never been discussed by the Board and the chairman did not feel that any of the commissioners or himself are well enough advised on the proposition to give an answer at this time.

Mayor Kiernan read a letter dated in 1949 from the U. S. Corps of Engineers concerning a request of the City for a part of the reserved strip west of the Airport.

Commissioner McCann reported that Sarasota County had no applications pending with the U. S. Government for acquisition by Sarasota County of the reserved strip west of the Airport.

Mayor Kiernan reported that the City of Venice had ~~this~~<sup>these</sup> application on file for the reserved strip west of the Airport for approximately a year and a half and had filed one last week on the south parcel.

Councilman Beaty asked the West Coast Inland Navigation District to help the City get title to the acreage lying south of the Airport which is vested in the U. S. Government. Commissioner Simmons replied that the District was not prepared at this time to take any action on the south acreage.

Councilman Roebuck reported that he was under the impression that the West Coast Inland Navigation District was going to help the City obtain both the reserved strip on the West and the acreage on the south.

Thereupon followed a general discussion among members of the Council and the members of the Navigation Board as to the economic feasibility of the Inland Waterway and also <sup>As to</sup> ~~on~~ how it was going to effect the City of Venice.

Upon motion duly made the City Council adjourned for five minutes.

When the meeting reconvened all councilmen present

signed a waiver of notice and it was declared that a special meeting duly called was in session. Following a discussion among the members of the city council and the commissioners of the Inland Waterway District a motion was made by Councilman Brohard which was duly seconded providing that the city agreed to grant the Intracoastal Waterway right of way shown on the map of same prepared by Joe K. Merrin and which is attached to these minutes and made a part hereof in <sup>LIGHT RED</sup> pink. The city further agreed to give the Inland Waterway District the area southeast of the centerline of the said waterway and the corner of the present Airport property which is shown on the attached map in <sup>DARK</sup> red. The city further agreed to support efforts of the West Coast Inland Navigation District to secure title to the property lying east of the westerly right of way line of the canal and the acreage south of the Venice Airport in return for the West Coast Inland Navigation District releasing and assigning any right or claim they have to the reserved strip shown on the attached map in purple and the West Coast Inland Navigation District aiding the City in every possible and practical way to secure title to same for the City for improvement of the Airport and other municipal work.

It is to be understood that these exchanges which require CAA approval are subject to CAA approval. The motion was thereupon passed by the city council, unanimously. Thereupon it was moved by Commissioner Pigott and seconded by Commissioner Burnett that the West Coast Inland Navigation District approve and join in the said action of the city council and it was so moved and carried by the Board of Commissioners by unanimous vote.

Thereupon the attorneys for the boards were directed to proceed with the preparation of a written instrument and exhibits and maps showing in detail the terms of the agreement which had been reached between the city and the Inland Waterway.

Thereupon the joint meeting was adjourned.