

The regular monthly meeting of the WEST COAST INLAND NAVIGATION DISTRICT COMMISSIONERS was held May 9, 1960 at the Courthouse in Bradenton, Florida.

Present were:

Charles R. Fischer, Vice-chairman, Pinellas County  
 Elmer Bustle, Treasurer, Manatee County  
 Wilson Pigott, Secretary, Lee County  
 James D. Neville, Sarasota County  
 H.H. Anger, Charlotte County

George Kumpe, Executive Director  
 J. Hardin Peterson Sr., Special Counsel  
 Dewey A. Dye Jr., General Counsel  
 Joe K. Merrin, Engineer  
 L.O. Hester, Engineer Pinellas County

Absent: Ellsworth G. Simmons, Chairman, Hillsborough County

Administration

The Vice-chairman called the meeting to order at 2:20 P.M. It was noted that the Chairman was absent due to family illness. Minutes of the 11 April meeting were approved as presented. The Treasurer's report was read by Mr. Bustle and approved as read. Vouchers #2334 through #2359 were approved for payment.

Hearing of Individuals

Mr. John K. Maddin, president of the North Manasota Key Civic Association; Col. Fred R. Chamberlain, engineer; and Mr. Wilmot, past president appeared in the interest of their group. Mr. Maddin stated they were very pleased to have Mr. Kumpe at a meeting last week. He stated that they were confused on several points.  
 (section c. of supplement to Progress Report)

They had been informed by the Internal Improvement Fund that bottom lands would not be sold if located beyond an established bulkhead line. They understood that under expected procedures the County would not modify bulkhead lines until fill from waterway construction had been placed and that then the bulkhead line would be modified to meet the actual limits of fill. Under these understandings the property owners desiring to buy the area to be filled would have to pay for newly filled uplands rather than for submerged lands, as would be the case if they could buy before fill were deposited. Mr. Neville commented that exact procedures had not been established for modifying the bulkhead lines due to waterway fill. The Director pointed out that the procedure described above was apparently intended to assure that bulkhead lines were not modified unless it were definite that fill would be deposited. He noted that under contract provisions for these areas the contractor would be required to decide at start of work whether or not he would use these areas. If he decided to use them it would still be several months before the contractor would reach north Manasota Key so time to adjust bulkhead lines would be available if the County so desired. The Director repeated a previous statement to the Association that proposed spoil areas would be considered

individually to determine modifications required by authorized fills, structures, etc. Where damages cannot be eliminated owners will receive fair compensation. With respect to the effect of fill on the existing road, WCIND will discuss this matter with the Corps of Engineers to prevent damage to the road by fill, or by storms if filling leaves the road as a natural drainage route.

#### Progress Report

Spoil areas for Charlotte County - the situation is that in Charlotte County we have <sup>unsigned</sup> six individual easements covering portions of four spoil areas. Mr. Dixon is the only owner who has refused to sign.

In Sarasota County fifty easement forms out of 145 have been prepared, two-thirds to go. These are in <sup>some are</sup> Mr. Van Norman's hands but/not out yet. Sketches of the remaining tracts have been completed and descriptions are being added.

Due to complications of appraisal of the lands between the end of the second contract and the Venice Airport, the Commissioners previously authorized Mr. Dye to get in touch with Mr. Forrest E. Davies and see if he could do the work. Mr. Davies presented a proposal to perform necessary appraisals for a maximum of \$4,000. which would be lessened if the number of days of his employment were fewer than he estimated. The Executive

Director was authorized to advise Mr. Davies to proceed with the work in accordance with the terms outlined in his telegram. Work should start June 1 and finish during the month.

Mr. Hester reported on progress in obtaining Pinellas County lands. Abstract information will be provided by two companies: The Pinellas County Title Co. for the northern section and the Bay View Title Co. for the southern section. Data on the right-of-way should be available the latter part of this week, and on spoil areas within two weeks. Mr. Merrin will do field work, if necessary.

In answer to CE question, spoil areas 14, 15, 16 & 17 are available but 14 must be modified due to fill already placed.

There was no report on the bridge program due to the absence of the Chairman.

Resolutions were presented requesting the Trustees of the Internal Improvement Fund to grant revised right-of-way in Charlotte, Sarasota and Pinellas counties and spoil areas in Sarasota and Pinellas counties. These resolutions were approved and executed. (WCIND annex to minutes-pages 11,12, 13,14,15)

Mr. Peterson reported on his appearance before the House and Senate Appropriation hearings. He stated that Congressman Rogers told the history of the changes

in routes. It was brought out that the route was not selected by the District but selected at Venice with Venice approval. Mayor Brohard of Venice appeared before the House Appropriation Committee objecting to the appropriation. Mr. Peterson reported that the Florida delegation gave full support to the project. He will follow the legislation and report its progress.

Mr. Dye was authorized to complete transaction for right-of-way owned by Venetia, Inc. required for the second contract at an appraised price of \$824.00.

The Board authorized Mr. Peterson and Mr. Dye to determine definitely the intentions of the City of Venice with respect to granting remaining right-of-way. Their report then will be basis for decision on future action by WCIND.

The Progress Report and correspondence were accepted as presented.

It was decided to hold the June meeting on June 6 instead of 13 June to permit Mr. Merrin to testify at a trial.

There being no further business, the meeting adjourned at 3:10 P.M.



Executive Director

Approved:

Secretary



Chairman

## PROGRESS REPORT

11 April 1960 - 9 May 1960

CONSTRUCTION

1. On 20 April the District Engineer awarded the first contract to Alonzo Cothron of Islamorada in the amount of \$225,425. Work should start before 20 May.

2. As recommended by WCIND the District Engineer approved the deletion of the northern 4400 feet from the second contract (Boca Grande to Alligator Creek). This property is owned by Mr. Caspersen and it was considered preferable to have a single dealing with him on all his holdings.

3. Copies were received of the preliminary construction plans for section 5 (Pinellas County).

4. It appears that the construction schedule for the Corps of Engineers will be to award the section from Boca Grande to Alligator Creek in the early summer; to award the Pinellas County section in the late summer or early fall; and to award the section Venice to Tampa Bay as the succeeding contract.

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5. Lee County Final conveyance to the United States of all lands required for first contract was completed on 14 April. Mr. Dye and the Director visited Jacksonville to deliver these papers.

6. Charlotte County Acquisition of spoil areas in Charlotte County is progressing satisfactorily. As of April 26 31 executed easements have been received, seven remain to be completed, and easements for three encumbered tracts require consent of the mortgage holders.

7. Sarasota County a. In Sarasota County land agents have started interviewing individual property owners as legal descriptions become available. As of 26 April one owner had signed, six had the easement forms in hand and five additional easement forms had been mailed. When descriptions are completed it will be necessary to request spoil areas from the Trustees and possibly an amendment to previous grants of the right-of-way.

b. Mr. H.P. Curtis, President of Venetia, Inc., Manasota Waterfront Corp., and Eagle Point Inc., visited the District office on 22 April. He proposed that spoil area S-5 be moved to the south in either of two preferable locations. The selected location and the two proposed are contiguous and are owned by the Venetia Corp. He also

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proposed three alternate spoil areas on the east side of Lemon Bay at the extreme northern end of the second contract as now curtailed. Use of these areas would preclude the need for obtaining pipe line easements across Manasota Key and the possible temporary dissatisfaction from vegetable matter in the beach nourishment. Mr. Curtis also requested fill on the east side of the waterway north and south of Manasota Bridge for the entire length of section 9, a long and very narrow tract. - - Mr. Curtis confirmed all these requests in writing on May 2, but recognized that the location of spoil areas involves a compromise of many viewpoints. On 3 May Mr. Higel and Mr. Duke, of Venice, representing Mr. Curtis, visited the Director and Mr. Dye. The 1.03 acre Venetia Inc. holding in the R/W at the north tip of the second contract was discussed and Mr. Higel agreed to present to Mr. Curtis a request for granting this area to WCIND at the appraised price. Mr. Curtis' letter was answered that the District Engineer would be asked to <sup>comment</sup> ~~consent~~ on the feasibility of the proposals, except at Manasota Bridge.

c. Mr. John K. Maddin, President of the North Manasota Key Civic Association, raised many questions regarding construction plans and ownership problems on fill. Preliminary answers were given by mail and a meeting scheduled for the morning of 6 May to discuss these matters with resident owners on the Key.

d. Mr. Dye arranged for a meeting with Mr. Forrest E. Davies of Gainesville to perform special appraisal work.

8. Sarasota-Manatee County On 17-20 May the Corps of Engineers will conduct a field investigation of spoil areas for Section 4 (Dona Bay to Tampa Bay). 17 May will be devoted to the area north of Sarasota City Pier and the remainder of the time to the south. The Corps of Engineers has arranged for Fish & Wildlife Service representation. Mr. Merrin and the Director will accompany the entire inspection and the resident county Commissioner and one other representative will be asked to assist in the survey of each county.

9. Pinellas County On 15 April a meeting was held between Mr. Merrin; Mr. Dye; Mr. Hester, County Engineer of Pinellas County; Mr. Welhof, an appraiser; and the Director to discuss acquisition of lands in Pinellas County. These lands are desired by the Corps of Engineers by 1 July 1960 and the conference with Mr. Hester was held in accordance with authority granted by the Commissioners at the last meeting. Agreement was reached that the County Engineer would assist in the field surveys to the extent that the knowledge of his office would expedite field work. He

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also arranged with appraisal firms to undertake the work on an expedited basis. Approval was granted for the employment of Mr. Ross F. Welhof as appraiser at a rate of \$100. per day plus out-of-pocket expenses. Mr. Welhof accepted this reimbursement. The Pinellas County Land Agent will perform actual negotiations for procurement.

10. Venice No progress was made during the month on the resolution of right-of-way problems in Venice. Correspondence from Mr. Curtis, referred to above, stated a positive preference for route C-1 over an outside route. A letter from the Assistant Chief of Engineers for Civil Works ~~repeated~~ previous statements that any protracted delay in furnishing rights-of-way for Route C-1 will adversely affect progress on the project and early realization of benefits.

11. General A question by private owners regarding alternate spoil areas was answered with the assistance of the Corps of Engineers. When private owners propose an alternate spoil area and the contractor agrees to use the area the district engineer will normally grant the substitution of spoil areas. Such permission is granted at the complete risk of the contractor, hence the Corps of Engineers has no requirement for title insurance.

BRIDGES

12. Mr. Peterson, of Howard, Needles, Tammen & Bergendoff's field office in Orlando, called to offer their services on the design of bridges. He was provided information on the program but advised that detailed discussions were premature and that if possible the State Road Department would be requested to perform design work, either by its own organization or by contract.

ADMINISTRATION

13. The State Auditor, Mr. Robert Austin, completed his work for the period 1 October 1957 to 30 September 1959. He indicated informally that his report would be satisfactory. During his audit he gave valuable advice on administrative procedural requirements.

14. A property manual was received from the State Auditor, as requested, and property is being recorded and marked in accordance with the manual. A special report <sup>from</sup> on finances to the Board of Census was ~~received~~. This report was prepared at the request of the University of Florida.

Submitted



ADMINISTRATION Cont'd

15. Records of completed real estate transactions were reviewed to determine the adequacy of records.

16. Mr. Peterson testified in Washington before the House and the Senate Appropriations committees. Mayor Brohard appeared before the House Appropriation Committee objecting to the two million dollar item for the waterway.

17. Project maps were distributed to the entire Congressional delegation and to the County Commissioners. Mr. Cramer requested twenty additional copies which were furnished. 50 copies were sold.

18. In accordance with authorization at the last meeting Mr. Dye discussed with the staff of the Trustees of the Internal Improvement Fund the employment of a WCIND representative to assist in expediting WCIND matters. To date no individual has been found at acceptable salary.

19. The Florida Waterway Committee meeting scheduled for April will take place at Ft. Myers in May. The date has not yet been determined.

## Supplement to Progress Report

9 May 1960

11 April 1960 - 9 May 1960

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6. Charlotte County As of 5 May there remain unsigned six individual easements covering portions of four spoil areas. Only one owner has declined to sign.

7. Sarasota County a. As of 5 May easement forms had been delivered to 18 owners and mailed to 24. Four additional forms are ready for delivery to owners.

b. On 6 May Mr. H.P. Curtis acknowledged WCIND letter of May 3 and accepted without question the appraised value for easement over the Venetia Inc. right-of-way still required for the second contract.

c. At 6 May meeting with North Manasota Key Civic Association attended by Mr. Collins, Sarasota County Engineer representing Mr. Neville; Mr. Van Norman and the Director, the question of spoil areas was again discussed. Questions which have to be answered to their president, Mr. Maddin, are:

- (1) What will western limit of spoil area be; will the existing road be affected?
- (2) On individual spoil areas what will be height of fill; will owner have any say on height or distribution?
- (3) What will happen to structures in spoil areas, such as garages, boat houses and docks?
- (4) (For Sarasota County) Location of new bridge; width of R/W; R/W where key will not be widened.

d. On 6 May Mr. Dye and the Director met with Mr. Forrest E. Davies to discuss appraisal work. A proposal from Mr. Davies was received on 9 May.