

The April meeting of the Commissioners of the WEST COAST INLAND NAVIGATION DISTRICT was held April 14, 1967, at the Manatee County Office Building.

Present were:

- A. L. Anderson, Vice Chairman, Pinellas County
- Mrs. Dorothy R. Flowers, Secretary, Charlotte County
- Robert C. Hutches, Treasurer, Manatee County
- Kenneth W. Daniels, Lee County
- Robert M. Wright, Sarasota County

- Harlan T. Johnson, Executive Director
- Dewey A. Dye, Jr., General Counsel
- Gilbert A. Smith, Associate Counsel
- Joe K. Merrin, Engineer

Absent were:

- Ellsworth G. Simmons, Chairman, Hillsborough County

The Vice Chairman called the meeting to order at 10:30 a.m. Minutes of the March meeting were approved as presented. The Director announced an error in the Progress Report, Mr. Daniels' name had been omitted from those attending the Okeechobee Waterway annual meeting. The error has been corrected in the official copy of the Progress Report. The Treasurer's Report was read and approved. Vouchers #4843 through #4882 were approved for payment.

PROGRESS REPORT

The Director announced that all work under contract was completed on April 6, and the Corps of Engineers closed their Venice office on April 7. The legality of bond furnished by the low bidder for revetment work in the Venice reach is being checked

and it is not known at what date the contract will be let.

Mr. Smith read excerpts from a letter from the J. E. Greiner Co. which explained the types of controllers used to operate a drawspan and recommended a silicon rectifier system. Commissioner Hatches questioned the need for such an expensive system, but was assured by the Director that a rapid operating system was necessary. The Director concurred with the recommendation. Motion was approved to accept recommendation of consulting engineers.

The Trustees of the Internal Improvement Fund approved the purchase of submerged land by Morris Trading Corp. to be used as a spoil area in the dredging of the new Stickney Point Bridge channel. Dredging in the area was completed on April 6. Morris Trading Corp. had the old dike removed from the channel by contract with Norfolk Dredging Co.

Sale of S/A S3-10 is being delayed because of the 40' easement on a 100' lot. A request has been presented to the Corps of Engineers to reduce the easement by 10' in an effort to make the lot more desirable to prospective purchasers.

Mr. Dye reported that Norfolk Dredging Co. has denied any liability for damage to the Turin Street pipeline. The City Council of Venice has authorized their attorney, Mr. M. A. Braswell, to file suit against Norfolk Dredging Co. The monetary expense to the City of Venice is \$20,000.00 and the WCIND has expended some \$53,000.00 for repair and replacement of the pipeline. Mr. Dye requested authority to become associated with Mr. Braswell to

regain these expenses by suit on a pro rata basis. Such suit would be maintained in the name of the City of Venice. Motion was approved authorizing attorney to assist City of Venice in proposed suit.

The Director reported that he and Mr. Van Norman had visited the property of Mr. Landis (S/A C-31A) and were of the opinion that WCIND is not responsible for all of the silting which has occurred as contended by Mr. Landis. In view of the benefits obtained by Mr. Landis and the fact that he requested the dredging, it appears that there should be no monetary compensation. Mr. Landis desires to press his claim and plans to appear at the May meeting to present his views.

In the matter of the Welden-Ward boundary dispute, the Director has advised Mr. Welden by letter that this is a matter for judicial determination which does not involve the District.

The Director announced that Mr. Bryant, representing Mrs. Wilbanks' property in Section 4, has been notified that the District denies liability for silting of the channel to this property. Mr. Bryant has indicated that he intends to press the claim.

The Director reported a request for one or more District owned spoil islands to be used as fishing camps by Mr. Dave Clark, a commercial shark fisherman. His request has the support of the Board of Conservation as expressed by the Maring Laboratory of St. Petersburg. Additional information has been requested.

In reporting on the proposed legislation Mr. Dye announced that revision of the special act was completed and sent to newspapers in the six counties for advertisement on March 31. The last day of publication was April 6, so it will be introduced on May 6. Due to the fact that there have been several newspaper comments and personal contacts a statement containing information concerning this legislation has been prepared for release to interested parties.

Mr. Dye stated that the legal department is also working, in cooperation with the State Board of Conservation, on an act to enable this District to assist the district to the north of the WCIND in connecting the waterway to the Cross Florida Barge Canal. This act is still in draft form and when completed will be mailed to all Commissioners of WCIND and Board of Conservation personnel.

Basically, A Gulf Intracoastal Waterway Authority consisting of ten counties would be created and taxed for administrative purposes for operation of the Navigation Authority from the Caloosahatchee River to the Barge Canal. The Maximum tax levy for administration would be 0.1 mil. The maximum tax for waterway construction purposes in the WCIND would be 0.2 mills with maximum tax levy for waterway construction in the northern district would be 0.5 mills.

Upon motion duly made and carried the Progress Report was accepted.

NEW BUSINESS

The Director presented a letter from Commissioner Simmons acknowledging with thanks the cards and prayers of the members of the Board and the staff.

A motion was approved to postpone the tour of the waterway to June 9 and 10.

Mr. Dye read a resolution^{ANNEX 100-A} of appreciation to be presented to Commissioner Simmons with pictures of the dedication ceremony and a brief history of the waterway. The resolution was unanimously approved. A discussion followed on the advisability of all Commissioners attending the presentation ceremony of of Commissioner Anderson presenting it privately. The Director was instructed to check with Mr. Simmons and his desires would be followed.

The Board approved recommendation of the attorney that Commissioner Anderson be granted authority to sign instruments of conveyance in Commissioner Simmons' absence.

Mr. Dye presented for approval the following instruments of conveyance: (1) A highway right of way easement across the canal right of way in the waters of Sarasota Bay; (2) a hydraulic borrow pit; (3) a permanent pipeline easement from the WCIND to the U.S. government, designated MPL S-7, across the property acquired from Mr. Dickens on Manasota Key; (4) a permanent pipeline easement from the WCIND to the U.S. government, designated MPL S-8A, across property acquired from Mr. Fonda north of Alexander Island. All instruments were approved as recommended by the attorney.

Mr. Dye informed the Board that a portion of two lots had been acquired from Mr. & Mrs. Newton in 1956 which were located partially within the waterway right of way of the Venice cut. At the time of settlement an agreement was reached that permitted them to use that part of this easement that was not in the waterway channel for their yard. During the time of construction in the area they were notified that the District had revoked this permit. A letter has been received from Mrs. Newton requesting reinstatement of the permit to use the right of way, stating that it would be maintained as part of their yard, and would be vacated at any time that WCIND required use of it. Approval was granted on this request with the stipulation that the District be granted right of access across their yard from the street to the canal.

Mr. Dye reported that the legal staff has been negotiating with Mrs. Hackney, last property owner on north Manasota Key, for a 40' permanent pipeline easement. Mrs. Hackney is unwilling to sell the easement, but has offered to sell the entire 200' lot for \$25 less a front foot than the appraised price. Mr. Dye recommended that this lot be purchased for \$27,000.00. Recommendation approved unanimously.

Mr. Smith announced the results of a new trial granted WCIND in its suit against the Venice Golf Association, Inc. In April 1966, Venice Golf Association, Inc. received a \$14,000.00 verdict. A new trial was granted WCIND and on re-trial Venice Golf Ass'n.

was awarded \$5,000.00, the figure previously offered by WCIND.

The Director presented the 67-68 budget for approval, subject to the following: (1) For use only if needed prior to the next regular meeting, (2) no major change in figures, (3) it is acceptable to Hillsborough County. The budget was accepted subject to specified conditions. It is to be presented for confirmation at the next meeting, unless conditions are met prior to that date.

The Board approved travel and necessary expenses for a trip to Jacksonville, Corps of Engineers office by the Director!

The Director presented for information of the Commissioners a list of WCIND projects, with planned completion dates, being used by the Director's office in coordinating the activities within WCIND. The Board expressed an interest in this program and requested that it be kept up to date.

The Director reported that the office was being moved to Room 104 of the Manatee County Court House on April 15. Two additional moves are contemplated due to reconstruction of the court house.

The desirability of eliminating from the files material no longer required for use and of microfilming required permanent records was discussed. The suggestion to microfilm records was favorably received. The Director will investigate further and submit specific recommendations.

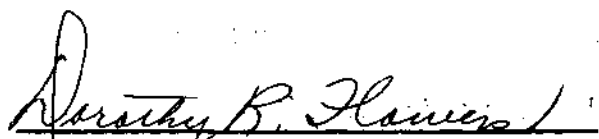
The Board approved donation of its air conditioner, which has now become surplus, to Manatee County.

Mr. Wright suggested that the Director investigate the possibility of area Chambers of Commerce and other public agencies, placing informational signs in the waterway right of way. Mr. Dye was requested to take this up with the TIF Board and CE.

Mr. Wright reported on problems with bridge openings and requested information on regulations regarding operation of bridges which span the waterway. The Director will provide information requested.

The next meeting was set for May 12, at 10:30 a.m. at the Manatee County Court House.

The meeting adjourned at 12:30 p.m.


Secretary


Vice Chairman

PROGRESS REPORT

March 6 - April 6, 1967

CONSTRUCTION

All waterway work under contract was completed on April 6, 1967. Culvert S-13, grassing, and dredging at Stickney Point were completed on the 4th, but inspection revealed some high spots on dredging, which were removed on the 5th and 6th. Ditch around S/A S3-3 was completed on April 5. Morrison Trucking was instructed to move to north section of S/A S3-3 for spoil removal. Cross section was taken. The CE Venice office is closing on April 7.

Bank Caving and Washing - Bid letting for revetment work, Venice reach, was delayed while legality of bond furnished by low bidder is checked. Bid will be let soon.

BRIDGES

SAL Bridge - No letter was received from SAL. The SAL representative reports that the J. E. Greiner Co. representative misinterpreted a newspaper article and informed the SAL, incorrectly and without authorization, that the WCIND Commissioners had approved a "saturated reactor system". SAL has been requested by telephone to carry out their agreement.

Stickney Point Bridge - The Director wrote a letter to the TIIF expressing WCIND support for the purchase of submerged land by the Morris Trading Co. for use by the CE as a spoil area. Mr. Dye appeared before the TIIF on March 21 in support of the position taken. The Trustees approved the land purchase. Mr. Morris carried out his part of the bargain by diking the submerged land and paying for removal from the right of way by dredging of the old unauthorized dike. All dredging was completed on April 6.

LANDS

Sale of S/A S3-10 - A forty foot easement had been granted by WCIND to the United States prior to authorization for advertising of excess land for sale. A request has been made to CE to reconvey ten feet leaving a permanent thirty foot easement along the south lot line. CE advised it would be another sixty days before the reconveyance was completed. It was determined that advertising

should be withheld until title problem is cleared up.

UTILITIES

On April 6, M. A. Braswell, City of Venice attorney, advised by letter that Norfolk had denied all liability and refused to make any offer. The City is prepared to file suit and has requested WCIND assistance and support.

ADMINISTRATION

On March 20, 1967, information was received that Commissioner Ellsworth G. Simmons was confined to Tampa General Hospital with a heart attack. Commissioner A. L. Anderson, as Vice Chairman, is acting as Chairman.

Claims: S/A C-31A - The Director and Mr. Jack Van Norman inspected the spoil area and adjoining channels in company with Mr. Landis. It is apparent that the west channel, in which Mr. Landis has an interest, is silted. The responsibility for this silt and the extent of liability, if any, is most difficult to determine. In view of the long time since the Section 2 dredging, and since Mr. Landis received the benefit of a great deal more material than he paid for he was requested to reconsider his claim.

S/A S11-A - The Director and Mr. Van Norman inspected the Welden property in company with Mr. Welden. Mr. Welden and Mr. Ward now agree as to the location of their legal boundary and this boundary has been marked. Mr. Welden claims that he should have purchased part of what is now Mr. Ward's property from the TIIF when upland owners were granted the right to purchase submerged land. He blames his allegedly incorrect boundary on alleged improper surveys, one of which was conducted by Mr. Merrin, for which the WCIND is supposedly responsible. Mr. Welden was advised that Mr. Merrin was surveying WCIND spoil area boundaries for WCIND and that he was not surveying private boundary lines for private parties. He was advised that his boundary dispute is a matter for judicial determination and that the WCIND is not a party to the matter.

Wilbanks' Property - Mr. Henry Bryant, representing Mrs. John R. Wilbanks, continues to allege that the channel to the Wilbanks' property silted as a result of Section 4 dredging for which the WCIND is responsible. He has received a "scouring permit" from Sarasota County and wants the WCIND to pay for work done. Liability was denied. Procedure for making a claim was explained.

Sarasota County Civic League - On March 8, Col. William Moomaw and Mr. Glenn Potter of the Sarasota Civic League interviewed the Director for several hours concerning spoil area requirements and policies and the activities, present and future, of the WCIND.

Speech - On March 15, the Director gave a luncheon talk to the Sertoma Club of Sarasota concerning the development of the West Coast Waterway.

Zoning S/A S3-10A - On March 23, the WCIND concurred in a change of zoning for S/A S3-10A from B-1 to R-3.

OWA Meeting - On March 24, the Director attended the annual meeting of the Okeechobee Waterway Association. Commissioner Daniels and

Spoil Island for Fish Camp - Mr. Dave Clark desires to start commercial shark fishing on the West Coast. He has the support of the Board of Conservation as expressed by the Marine Laboratory of St. Petersburg. He desires to use one or more of District owned spoil islands as fishing camps. He was requested to define his requirements and to appear for a conference.

Tour of Waterway - Planning for tour of waterway on May 12-13 continued. Tentative plans: Start, Cape Coral; noon stop, Placida; overnight, Holiday Inn, Sarasota-Bradenton; noon stop, Indian Rocks Beach; end trip at Tarpon Springs.

Right of Way Advertising - The Corps of Engineers and Trustees of Internal Improvement Fund were notified of advertising signs erected in Lemon Bay along the waterway. Advice requested on removal of signs.

Legislation - Local legislation amending existing WCIND bill advertised on March 30. Bill will be presented to legislature in due course. Another bill creating Gulf Coast Navigation Authority to support extension of waterway north and south of existing waterway being drawn, will be advertised the week of April 10.