

The monthly meeting of the WEST COAST INLAND NAVIGATION DISTRICT COMMISSIONERS was held at the Manatee County Office Building in Bradenton, Florida, March 20, 1961, postponed one week due to the annual meeting of the Florida County Commissioners at Tallahassee on March 13 and 14.

Present were:

H.H. Anger, Vice-chairman, Charlotte County
 Boyd R. Gernhard, Secretary, Sarasota County
 Elmer Bustle, Treasurer, Manatee County
 A.L. Anderson, Pinellas County

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

Absent:

Ellsworth G. Simmons, Chairman, Hillsborough County
 Mack H. Jones, Lee County

Administration

In the absence of the Chairman, the Vice-chairman called the meeting to order at 2 P.M. Minutes of the 6 February meeting were approved as presented. The Treasurer read the Treasurer's report and it was accepted as read. Vouchers #2629 through #2659 covering current bills were approved for payment.

Progress Report

The Director reported that notice was given to the newspapers on March 17 on the result of bid opening for Section 5, Pinellas County. Ten bids were submitted and the apparent low bidder is the Gahagan Dredging Corporation of Tampa, Florida; the amount of the Gahagan bid was \$1,248,554.70 with the work to take twenty months at minimum prescribed progress.

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It was reported that all the municipalities along the Waterway in Pinellas County have taken satisfactory action waiving restrictive ordinances on dredging operations for the construction of the Waterway.

Lands - Sarasota County

Commissioner Gernhard was asked to look into approval of amended bulkhead lines in Lemon Bay by the Sarasota County Commissioners which has not been reported to the Trustees. County approval of designated spoil areas in Section 4 is desired by WCIND so the staff can go ahead on acquisitions; Mr. Gernhard stated that this action will be taken at the 21 March meeting of County Commissioners.

The WCIND staff was authorized to proceed on acquisition of spoil areas in Section 4. The City of Sarasota is agreeable to S/A within City limits but will negotiate with the Corps of Engineers to have fill placed on Bird Key instead of the designated spoil area, with the City to pay the additional pumping costs.

Manatee County

Acquisition of spoil areas in Manatee County was authorized based upon Director's conferences with Board of County Commissioners and governments of municipalities on Long Boat Key and Anna Maria Island.

Pinellas County

The attorney reported that S/A P-25, 6 and 7 must be re-located due to recent filling or errors in abstract searches. Mr. Dye suggested the Navigation District pay diking costs as

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the most economical way of relocating P-26. Commissioner Anderson reported that there would be difficulty in bulkhead line changes or any fill permits in Pinellas County. Mr. Merrin will meet with representatives of the Gahagan Dredging Corp. on 21 March to discuss all requests for spoil. At that time he will discuss S/A P-26 for which WCIND has a Trustee easement for an area sold in the 1920's to the Oakhurst Development Corp. Mr. Merrin will try to determine the Corporation's interest in negotiating with the probable contractor for fill behind the bulkhead line. Mr. Anderson moved that the Director and the Engineer seek a solution to S/A P-26 with full authority to make necessary agreements, including diking at WCIND expense. The motion carried. Mr. Merrin offered to present the matter and developments to the Pinellas County Commissioners on March 23.

Mr. Merrin commented on delays experienced in obtaining fill permits. Mr. Anderson suggested that such applications related to the Waterway be filed with a request that they be heard by the Board of County Commissioners, without report by examiner.

Commissioner Anderson stated that it would be very advantageous if spoil could be placed on the west side of the Intracoastal Waterway on the narrow strip in the vicinity of the Narrows. The Director stated that several municipalities have requested fill. The Director had explained that severe time limitations had prevented designating spoil areas west of the Waterway in the Narrows, as all the problems of many

small tracts, bulkhead lines and composite spoil areas were involved. For these reasons the larger tracts east of the Waterway had been selected and obtained. The Director had informed officials of Indian Rocks Beach and Indian Rocks Beach South Shores that when maintenance spoil areas are selected these municipalities will be consulted.

Bridges

No current information was available on the highway bridge funding program. Mr. Dye reported that the contract proposed by the Seaboard Air Line Railroad Company had been reviewed by the Attorney General who suggested a competitive bid rather than negotiated contract. Mr. Dye will obtain the views of the Railroad.

Administration

Mr. Dye stated that it was the recommendation of the Assistant to the Attorney General for Legislation that the entire authorization for WCIND be reenacted incorporating into the reenactment all the changes which have been made since 1947 and putting in the changes now desired to be made. The notice has been sent to newspapers in the six counties as it must be published one time thirty days before the bill is introduced before the Legislature. The advertisement consists of the preamble only which outlines the scope of the bill. Copies of the proposed legislation itself will be in the hands of all Commissioners by 3 April for their review before the regular meeting on 10 April.

The attorney is making a study of Pinellas County Abstract costs but was not prepared to make a report until the study is completed.

Approval was given of payment of a bill for \$5,040.75 from Pinellas County for engineering costs, (V-2660) the attorney verified that the time was actually spent by the County employees and that the computation was reasonable. The Director reported that one of the vouchers approved at this meeting was for payment of the former County right-of-way agent, Mr. Arthur J. Clarke, after he separated from the Pinellas County engineering department and did not duplicate charges in the County bill.

During the month approval of four Commissioners was obtained for the employment of Mr. Max J. Cherbonneaux former Pinellas County Engineer Department employee. The Board approved the employment not to exceed two months at his former salary of \$550. per month plus actual expenses (mileage, meals away from office and telephone).

The Progress Report was accepted.

New Business

Commissioner Gernhard discussed the Public Hearing to be held at Venice City Hall at 2:30 on March 22. He had had an informal meeting with people in Venice. He asked that everyone go into the public hearing with an open mind in an effort to solve the problems there.

All the Commissioners indicated that they would attend the Hearing. The Director was authorized to employ a Court Reporter for the Hearing.

Commissioner Gernhard read a letter from Congressman Cramer reaffirming his support of the Waterway and for a

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study of the Anclote to St. Marks section. As attorney for the District Mr. Peterson will answer the letter and write to the Florida delegation affected reaffirming the Navigation District support of this re-study as stated in WCIND resolution of October 1960.

✓ Mr. Dye reported that Robert G. Ward had accepted WCIND offer that they continue to use the building on their former property for \$25.00 per month with sixty day cancellation notice to be given them when the property is needed.

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

Boyd R. Gembary
Secretary


Chairman

PROGRESS REPORT

6 February 1961 - 20 March 1961

CONSTRUCTION

1. On February 6 Brigadier General H.A. Morris, Division Engineer South Atlantic Division, Colonel J.V. Solloway, District Engineer, Jacksonville District, Corps of Engineers and members of their staffs visited Sarasota and Venice in preparation of General Morris' testimony before Congressional appropriations committees. He stated that he must have before April an authoritative statement, for each of the various bridges to be constructed or reconstructed over the Waterway of when work will be started. Construction of all bridges is not required to be undertaken at the same time but he must have authoritative information sufficient to convince the appropriations committee that local interests will meet all their requirements.

2. On February 10 the Navigation District was asked to determine whether restrictions to the hours of dredging operations in the City of Clearwater could be waived. The City Manager advised promptly that the City would cooperate in this matter. Subsequently the Corps of Engineers asked that a complete review be made of anti-dredging or anti noise ordinances in each municipality along the Waterway in Pinellas County. It was determined that such ordinances exist in almost all of the fourteen municipalities and immediate requests were filed that restrictions be waived. To permit action by municipal authorities the opening date of bids was postponed ten days to March 17. By March 10th waivers of restrictions had been received from St. Petersburg, St. Petersburg Beach, Treasure Island, (Madeira Beach had granted waiver previously), Redington Beach, Redington Shores and Belleair Beach. Action was still being sought from North Redington Beach, Indian Rocks Beach South Shores, and Indian Rocks Beach.

3. Four amendments to Section 5 advertisement for bids were issued by the Corps of Engineers. The required monthly performance was reduced from 250,000 yds per month to 170,000 so anticipated construction time will be twenty months rather than thirteen originally allowed. Dredging will not be permitted on Sunday between 6:00 A.M. and midnight. Due to the time required to obtain waivers on municipal ordinances restricting dredging at night, the opening of bids was postponed from March 7 to March 17.

4. The Corps of Engineers answered the request of the Navigation District regarding the diking of spoil areas. Certain spoil areas must be diked at the expense of local interests and it has been proposed that the Corps of Engineers specifications include an item for this work for which the Navigation District would pay. The District Engineer stated he would reconsider the request if desired but that he would prefer not to establish such a precedent.

LANDSCharlotte County

5. Descriptions of spoil areas in the second contract were modified slightly after Corps of Engineer review. Sale of all submerged lands required for spoil areas in Charlotte County were either approved on Feb. 28 or were approved by advertisement by the Trustees.

6. The Corps of Engineers furnished an answer by the District Engineer to Senator Kefauver regarding the desire of Mr. A.B. Dixon to have the right-of-way changed in the vicinity of Kettle Harbor, reaffirming the intention to retain the present route.

7. Mr. Atwood and W.E. Dunwody Jr. asked that if spoil area C-26 were not filled that they be allowed to obtain that fill for spoil area C-27. They were informed that C-26 was still a designated spoil area but that any negotiations by them eliminating C-26 would receive Charlotte County cooperation.

Sarasota County

8. Check for the additional right-of-way acquisition from Mr. T.B. Richardson was signed and furnished Mr. Richardson.

9. The lower portion of spoil area S-6 was deleted due to difficulty in obtaining cooperation of certain owners. Some of these owners are now anxious to have the extra spoil area utilized. They have been informed that the Navigation District would not object to the entire original area but that the responsibility of obtaining amended bulkhead lines and carrying through the purchase procedures must rest with the owners and that any additional area must be contiguous to the designated area. On 10 March Mr. John E. Dickens advised the Director that he had placed his tract for sale and was not interested in buying necessary submerged lands. His action may eliminate any addition to S/A S-6 except possibly the tract owned by Mr. Percy H. Wilson.

10. The County Attorney was furnished a description of bulkhead line modifications for the third contract.

11. On March 3rd City of Sarasota furnished comments on proposed spoil areas within the City limits. They asked that information be obtained from the Corps of Engineers as to the procedures to be followed whereby the City could pay additional pumping costs to deposit spoil intended for spoil area S-44 and 45 in S-46.

12. Mr. C.R. Coon offered to receive spoil on his property on Casey Key near Marker 13 above Albee bridge. He was advised

that this tract was too small to be designated a spoil area but that his name would be listed among those desiring spoil.

13. Mr. Zimm called again regarding fill on his tract on Siesta Key north of Stickney Point bridge. It was determined he desired a small quantity only to create a fill. He was informed of the difficulties of obtaining approval of amended bulkhead lines. ✓

14. Mr. C.O. Worden visited the Director as agent for the owner of property immediately south of the Urbanek tract south of Albee bridge. Mr. Worden was informed that the answer to his question as to how far structures might extend beyond the bulkhead line should be obtained from Sarasota County and the Corps of Engineers. ✓

15. Mr. Frederick B. McBride furnished a sketch of area he desired filled on Casey Key south of Blind Pass. He was advised that the Corps of Engineers would be notified of his desire. ✓

16. Mr. T.A. Azar of Sarasota called at the suggestion of Mr. John Engles, Chairman of the Sarasota Recreational Committee. Mr. Azar had sold a Gulf frontage at the southern tip of Siesta Key and desired fill on his retained frontage on Sarasota Bay. He was advised of the necessity of obtaining bulkhead line amendment and was asked to submit a sketch of the particular area he desired filled. ✓

17. Commissioner Gernhard, Mr. Van Norman, Colonel Lowery of Walter Hardin Realty Co. and the Director attended the annual meeting of the North Manasota Key Association. Members were assured that the Navigation District was continuing acquisition of lands in this area for the third contract. The Association resolved to attempt to enlist active support for the project.

18. After the meeting of the North Manasota Key Association Mr. Lukins of Naples, Florida discussed with Commissioner Gernhard, Mr. Van Norman and the Director the addition of his property to spoil area S-11C. Mr. Gernhard suggested the application be filed first with the Sarasota County Water Control Authority. ✓

Manatee County

19. The Town of Longboat Key commented on spoil areas M-2, ~~M-3~~ M-3 within Town limits. Objection was reported to spoil area M-4 but Mr. A.W. Bailey visited the office of the Director and stated his intent to negotiate with the contractor for all of the spoil proposed for this spoil area. Mr. Scholfield the Town Manager was informed that the area on the Sarasota-Manatee County line desired by the City to be filled was too remote from the Waterway to be a designated spoil area. Mr. Scholfield stated that negotiations proposed by Mr. Bailey would have his full support. ✓

20. The governments of Bradenton Beach, Holmes Beach and Anna Maria were visited. No spoil areas lie within the municipal limits and there are no ordinances restricting dredging.

21. Mr. Arch Wedebrock was informed that the two areas offered by him to receive spoil were either too remote from the Waterway or inadequate in size to be designated spoil areas.

22. The Corps of Engineers revised the quantity to be dredged in Manatee County from 230,000 to 103,000 cu. yds.

Pinellas County

23. In accordance with action by the Board of Commissioners on 6 February the attorney for Mr. J.E. Brantly and three other spoil area owners in Pinellas County was paid for his services in connection with the granting without charge of these spoil areas.

24. In answer to a Corps of Engineers question the Navigation District informed them they did not object to the proposed work covered by permit request of Indian Pass Apartments, Inc., near the Indian Rocks bridge but that the waiver of objections to structures within the right-of-way is with the understanding that if the structures ever had to be removed the Navigation District would not have to reimburse the applicants.

25. The Corps of Engineers furnished a letter to the General Telephone Co. questioning the depth shown on their permit request for the "loose bottom" cable crossing at Corey Causeway.

26. The Corps of Engineers approved the conveyance of permanent spoil areas and asked for the conveyance of spoil area S-7. This area had been obtained from Pinellas County and was conveyed to the Federal Government.

27. All right-of-way at certain wideners in the channel had not been obtained. Corps of Engineers advised that the wideners were not required for the construction but should be obtained without delay.

28. The Corps of Engineers informed Mr. Giff Kier of St. Petersburg that if he desired spoil he must negotiate with the contractor.

29. Mr. Dye informed Mrs. Claudia Lowe that she must negotiate with the contractor to obtain spoil.

30. Based upon examination of the contract site by prospective bidders it was determined that certain spoil areas shown on the contract plans have already been filled. The staff is working on obtaining suitable alternate spoil areas.

31. On Feb. 7 Mr. Merrin and the Director met with Mr. Floyd Christian, Superintendent of the Board of Education of Pinellas County to discuss his request to Congressman Cramer that spoil be placed upon two sites for public schools. After the discussion it was agreed that the Welch Causeway site could not be filled economically. The Corps of Engineers was advised that the Board of Public Instruction desired to negotiate with the contractor for spoil on the second site near the Long Key Sewer District plant.

VENICE

32. On 6 February Brigadier General H.A. Morris, Colonel J.V. Sollohub and the Commissioners and Staff met with Mayor Brohard, President of the City Council Raymond and Commissioner Warren Henderson, Chairman Sarasota County Commissioners, in the City Hall of Venice. General Morris stressed that route C-1 was the only approved route at Venice. Mayor Brohard stated that the chief objection by the City to route C-1 was the fear that only one access route would be provided to the City of Venice.

33. Mr. George Edmondson and Mr. E.H. Price, Sr., continued their opposition to the Waterway at Venice in separate letters to Congressman Cramer, Chairman Simmons and to Secretary of State Adams.

34. Mr. Dye advised the Venice Chamber of Commerce that the Navigation District would not object to fill on their property being obtained from the canal right-of-way for which the Navigation District holds easements.

35. Colonel Sollohub wrote to the Director on March 3 reiterating the position of the Corps of Engineers on Route C-1 and the Gulf routes for use in discussions with Mr. Cason. A copy of the letter was given Mr. Cason and Mr. Ralph Erickson, legislator.

36. Newspaper coverage of the meeting with Mr. Cason on March 6 created considerable opposition in Venice. A public hearing by the U.S. Public Roads on 4-laning U.S. 41 from Stickney Point to Hatchett Creek has been assumed by the newspapers to be on the subject of the Venice by-pass. At the recommendation of Commissioner Gernhard the Navigation District will hold a meeting in Venice on the same day but in the afternoon to discuss proposed plans in Venice.

37. Mr. Royster of Nokomis called to volunteer that statements in the Venice press did not represent the unanimous opinion of merchants in the Venice area.

BRIDGES

38. Bridge #1. The Seaboard Air Line Chief Engineer was advised by the Director that the railroad company would be given ample notice of when reconstruction of the swing span would be required.

39. The Railroad Company furnished Mr. Dye a signed copy of the proposed contract with the Navigation District. This contract requires construction work on the Waterway in this section to be started in one year. The contract is under study by Mr. Dye, who also asked the Corps of Engineers to comment on it.

40. Mr. Price attacked the Sarasota County pledge of \$75,000 a year for ten years in letters to Secretary of State Adams. Commissioner Gernhard reported that funds in the 1959 bond issue intended for the reconstruction of Albee bridge had been completely utilized in the acquisition of higher priority right-of-way for U.S. 41.

41. In accordance with request of Governor Bryant, Chairman Simmons and Navigation District Commissioners met with Mr. Warren Cason, State Road Board member of District 1, on February 21 to discuss the entire bridge problem. Legislator Ralph Erickson, Sarasota County, attended this meeting. Mr. Cason flew over the route and then met with the Commissioners. He stated he required additional information on the bridges and on costs involved including alternate solutions.

42. On March 6 Mr. Cason met with Navigation District Commissioners and Staff in Bartow. From figures developed by the State Road Department Mr. Cason determined that the most economical means of providing a modern highway and route C-1 of the Waterway would be to relocate U.S. 41 west of route C-1 and the Seaboard Airline tracks. He asked Chairman Simmons to suggest a funding program for Mr. Cason to discuss with Governor Bryant. A draft of such a proposal was furnished Mr. Simmons on March 8 together with a proposed letter from the Navigation District to Mayor Brohard outlining Mr. Cason's solution and stating that the Navigation District was prepared to bear the costs of utility changes required by the construction of route C-1 and to negotiate with Sarasota County on the operation and maintenance of bridges across the Waterway.

43. At the Bartow meeting Mr. Cason asked Mr. Hector Johnson to undertake a survey to determine the precise route of the suggested by-pass at Venice.

ADMINISTRATION

44. Mr. Dye discussed with Assistant Attorney General proposed legislative changes for the Navigation District.

45. A "stop payment" on Mr. Peterson's check was cancelled on 7 February after obtaining the approval of Mr. Robert Austin, State Auditor. ✓

46. Chairman Simmons asked Mr. Dye to look into the newspaper reports of an investigation of contracts for abstract work in Pinellas County performed for the Navigation District. The Director furnished Mr. Dye with copies of all correspondence, minutes and vouchers relating to the matter. Mr. Dye visited Clearwater on March 9 and will return for further investigation.

47. Mr. Max J. Cherbonneau Jr., Assistant Engineer of Pinellas County, who has been working for the last few months on Waterway land problems resigned from County employment effective on March 10. Upon the recommendation of Mr. Dye and the approval of Commissioners Simmons, Anderson, Bustle and Gerhardt, Mr. Cherbonneau accepted employment at not to exceed two months for previous county salary of \$550 per month as a full-time employee of the Navigation District to complete land negotiations. ✓

48. The Director spoke to the St. Lukes' Mens Club on February 21 and at the Venice Outboard Motor Club in Venice on March 6.