

The May meeting of the Commissioners of the WEST COAST INLAND NAVIGATION DISTRICT was held May 10, 1965 at the Manatee County Office Building.

Present were:

- Ellsworth G. Simmons, Chairman, Hillsborough County
- A. L. Anderson, Vice Chairman, Pinellas County
- Mrs. Dorothy R. Flowers, Secretary, Charlotte County
- Ralph S. Clark, Treasurer, Manatee County
- Kenneth W. Daniels, Lee County
- Robert M. Wright, Sarasota County

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

ADMINISTRATION

The Chairman called the meeting to order at 11:00 a.m. Minutes of the April 6 meeting were approved as presented. The Treasurer's Report was read by the Director and accepted. Mr. Simmons asked how long it was anticipated that the checking account balance of over \$200,000 would be unobligated. The Director replied it would depend largely upon court settlements of condemnation cases. Mr. Dye commented that probably there would be no settlements for 90 days. Mr. Simmons suggested a motion directing the Treasurer and the Director to place \$100,000.00 from the checking account in time deposit for 90 days. Motion was made and passed authorizing the establishment of an additional \$100,000.00 time deposit as recommended. Gentleman in audience asked why this District has so much money on deposit in Manatee County. Mr. Simmons explained the setup of the District office in Manatee County, where the Resident Commissioner-Treasurer and Director are located. Vouchers #4072 through #4136 were approved for payment.

PROGRESS REPORT

The Director gave the construction progress in Section 2 during

April, reporting that at the end of the month the section was 68% complete. Progress was about two-thirds of previous month due to rock and to repairs.

The north portion of the Section 2 diking was readvertised as authorized at the April 6 meeting. Only one bid was received, from Lee A. Tharpe, who received the earlier contract. The sole bid was less than previous bids had been for a lesser length of dike. The staff recommended acceptance of bid of \$15,500.00 for the S/A S11A North and East dike and \$500.00 for the S/A S-11A4 West dike. Motion was made and passed to accept the bid of Lee A. Tharpe, and authorizing the Chairman to sign the contract.

The Director asked Mr. Dye for comments relative to claims for filling of boat slips in Section 2. Mr. Dye replied that several property owners on Manasota Key had contacted him regarding settlement. He recommended that where there has been no actual damage there be no compensation. Mr. Clark concurred in this opinion.

The Director also asked Mr. Dye for comments regarding a claim from Mr. Stoltzner of \$30.00 for diking around trees on his property. Mr. Dye stated he is not too familiar with this case as it was handled by Mr. Gilbert Smith, but that one property owner had put in a dike at his own expense to save damages to his property. Mr. Simmons asked if Mr. Dye thought settlement would protect the District from claims, to which Mr. Dye commented that he has some doubt that there is liability. Mr. Simmons suggested going along with the payment of \$30.00 provided a full release were obtained. Mr. Wright suggested that such settlement might set a precedent. Mr. Dye stated that Mr. Stoltzner is not impatient, that we could defer action until we are pre-

sented with the whole picture. Mr. Wright said he knows that some 700 ft. of diking has been done near his property and he wondered if a claim would be presented for it. Mr. Clark felt the matter should remain dormant and that necessary action should be taken depending on the circumstances at the appropriate time. As spoil area easements have been granted by the possible claimants Mr. Simmons felt we should refer the matter to counsel to determine whether there was any legal liability or not. Motion was then passed unanimously referring to counsel the Stoltzner claim of \$30.00 for diking.

The Director reported that on April 13 the Corps of Engineers had opened bids for the construction of final Sec. 3. Eight bids were received; the low bidder was the Norfolk Dredging Company of Norfolk, Va. with a bid of \$1,194,054. The bid was accepted and notice to proceed was issued on April 22. Pre-construction conference was held in Clewiston on May 6, attended by Mr. Merrin, Mr. Smith and the Director. The Director believes that Norfolk Dredging will be cooperative. Work will be done by hydraulic dredge, working from south to north. The controlling factor will be when their dredge can pass through the Center Road bridge. Norfolk will probably start in November. Mr. Simmons asked how many days are allowed in the contract, to which the Director replied 640 calendar days, that Section 3 should be finished during the last half of January 1967.

Diking S/A S3-10A, discussed at the April 6, 1965 meeting, can be deferred unless Norfolk changes its sequence of construction, since the area is at the north end of the contract.

The Director reported action required in the release of S/A C-9 in Charlotte County. This spoil area had been acquired

from the Trustees and conveyed to the United States. Subsequently it was determined that the area included several islands which possibly were in private ownership. To avoid delays an acceptable alternate area was obtained from the Trustees. To avoid clouding any title on the islands the District requested the Corps of Engineers to release S/A C-9. Procedures of the Corps of Engineers require that an administrative fee of \$75.00 be paid and also that the District acknowledge its continuing responsibility to provide necessary right-of-way and spoil areas for the entire waterway. The Director noted that the \$75.00 check was included in the approved vouchers. Mr. Dye commented that the necessary alternate to S/A C-9 had already been obtained and he presented a formal resolution, recognizing the continuing obligation of the District to furnish necessary lands. The resolution was approved unanimously.

The Director asked Mr. Dye if formal approval should be obtained of the additional court deposit for S/A S3-4 and MSA S-31A. Mr. Dye replied that the areas in question were owned by a party in the condemnation suit for spoil areas. The Corps of Engineers had decided that an additional dredge water return was required and also that a portion of the temporary S/A S3-4 would be acceptable as a necessary perpetual maintenance spoil area (MSA S-31A). The property owner agreed to modification of the condemnation suit for the required acquisition and an additional \$30,000 had been posted with the Clerk of the Court. Mr. Dye reported that the ten-acre tract would be acquired as a perpetual spoil area and that the drainage easement was temporary. A motion was made and passed unanimously ratifying the action taken for the additional acquisition and the court deposit.

The Director discussed District participation in "small projects" proposed by Mr. Anderson at the last meeting, which was deferred one month so that the Commissioners could consult with their Board of County Commissioners. Motion made and passed unanimously that the District will participate in the accomplishment of any project authorized by the Chief of Engineers under the so-called "small projects" procedures, when: a. the project lies within the territorial limits of the six counties constituting the WCIND; b. has been determined to be such that WCIND funds may properly be used to defray a part of the required contribution, and, c. provides access between the Gulf of Mexico and the West Coast Waterway, or will contribute to realization of the full benefits of the West Coast Waterway. WCIND participation in such projects will be limited to defraying a portion of the cash contribution assessed against local interests as follows: a. WCIND contribution to any project will not exceed 50% of the total cash contribution required or \$50,000, whichever is lesser; b. Any rebate of such contributions will be divided proportionally among the contributors; c. WCIND contribution will be made when all other contributions are made; d. WCIND will not originate or initiate action leading towards such projects and will not be the local sponsor, and e. WCIND will not undertake any commitments required of a sponsor such as the acquisition of lands, the providing of public facilities, etc.

Mr. Anderson reported that in Pinellas County two "small" projects have been approved by the Corps of Engineers. The amounts of local contributions have been determined by the Corps of Engineers. The Pinellas Board of County Commissioners will serve as local sponsor and they plan to budget one-half of the local contribution required for each project. He anticipated the Corps

of Engineers will be ready to move forward in the next fiscal year and he asked that the WCIND contribution be included in the budget. Motion to include the required share of the contribution was made and passed unanimously.

Mrs. Flowers asked if a contribution for the improvement of Stump Pass could be included. Mr. Simmons answered that based upon the motion just passed it would first be up to Charlotte County to sponsor the project. Mr. Anderson stated Pinellas County had tried to get 100% federally financed projects but was turned down in Washington. Under "small projects" procedures, the Corps of Engineers determines the contribution which must be made by local interests. The Director remarked that the Cats Point and Sunshine Skyway projects, which went through unusually fast, took between a year and eighteen months to process and construct. Mr. Simmons felt the District should recognize Mrs. Flowers' proposal and approve it when it is in order. Mr. Anderson moved that the District recognize the Charlotte County project and the motion passed unanimously.

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

#### NEW BUSINESS

The Director reported that in 1964 the District was asked by one of the counties to set the tax millage in May instead of June. The statutory limitation of District is .50 mill, but the Board has never set more than .25 mill. Programmed expenditures for the next year was presented each Commissioner and the press. This included, as discussed at last meeting, the \$85,000 contribution which Mr. Anderson proposed. Mr.

Simmons noted that if the same millage were retained there would be a slight deficit. The Director agreed except for the natural growth, which has averaged around 2% or 3%. Mr. Simmons stated he is willing to gamble that we can survive with the same millage. Resolution was offered and passed unanimously setting .25 mill on all taxable property in the District. *(P 80 Annex to WCIND minutes)*

The Director reported a discussion with the former City Manager of Tarpon Springs, who asked if the District would support a review of the Anclote River project to determine if greater depth should be provided. Pinellas County Board of Commissioners had passed a resolution supporting the study. A formal resolution was read by the Director. Motion was made and passed unanimously to adopt the resolution that a review of the project for the improvement of the Anclote River, Florida with a view towards authorizing a project depth of 11 ft. is desirable and requesting Senator Spessard L. Holland, Senator George A. Smathers and Congressman William C. Cramer to use their good offices in obtaining authorization for such study and for the funds necessary for its prompt execution. *(P 82 Annex to WCIND minutes)*


The Director discussed the Rivers and Harbors Congress meeting in Washington June 8 through June 11, and the desire of the Florida State Board of Conservation for information on attendance from this District. Mr. Simmons, Mr. Clark, Mr. Daniels, Mrs. Flowers and the Director plan to attend the meeting. Mr. Wright asked if any purpose would be served by more members attending. Mr. Simmons commented that in his opinion Congressmen appreciate seeing those interested, and it furthers one's knowledge of waterways, how they are approached, the Congressional concept of the waterways, etc., as they are thoroughly indoctrinated in this type of project. Mr. Simmons felt all members should attend. Mr. Peterson also felt that everyone should attend as it gives each one an opportunity to meet other people who support

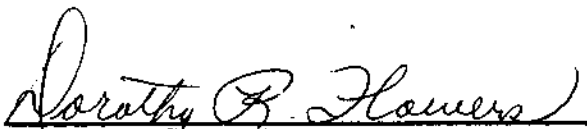
this project from Texas to Maine. The unbuilt section from St. Mark's to Tampa Bay is important; over-all effect brings you closer to benefits derived, better general understanding gives you an opportunity to answer any questions raised by taxpayers who want to know what is going on. Mr. Daniels commented it directly affects Lee County in relationship to the Okeechobee Waterway; he had talked with Mr. Paul Franklin who was well pleased that Mr. Daniels was attending the meeting and that the District was going to lend support to the Okeechobee Waterway problems. It means a co-ordinated effort in the support of the waterways to know what is going on and to let them know we are interested. Mr. Wright asked the Director to arrange for his reservations.

Mr. Peterson reported on the Congressional Appropriations hearing on Florida projects on the 18th and 19th of <sup>May</sup> ~~June~~, which he plans to attend to file statement, he anticipates no trouble. Senator Holland is on the Budget Committee. The Director reported Congressman Haley will make a statement and Senator Holland always follows it closely; Congressmen Cramer and Rogers also make statement.

June 7 was set for next meeting date at 11:00 a.m. at the usual place.

The meeting adjourned at 11:45 a.m.

  
Chairman

  
Secretary



PROGRESS REPORT

6 April - 10 May 1965

CONSTRUCTION

Construction Progress - During month the contractor in Section 2 dredged 213,150 cu. yds. of material and advanced 7.450 linear ft. On April 30 the contract was 68 % complete.

Construction Operations Sec. 2 S/A C-18A & 31A - Complaints were received from the placement of spoil exceeding authorized spoil area. Data were prepared and submitted to Corps of Engineers.

S/A S-2 - Complaint was made that quantity of material placed did not fill diked area and that shoaling had occurred in nearby private channel. Investigation was made of both complaint and a letter written to county commissioners.

S/A 11A - Corps of Engineers notified the District that the contractor would use complete spoil area.

S/A S-12 - Corps of Engineers agreed to recommendation that mandatory utilization of this area be eliminated.

Diking Sec. 2 - Contract for diking of S/A's S8, S10A and the west side of S11A was signed on April 14 and notice to proceed issued that day. On April 30 the diking in S/A S-8 was 39.5% complete. Requests by local interests to eliminate the diking on the west side of S/A S-11A was determined to be infeasible. On April 23 bids for diking the east side of S-11A and the northern portion of the west side were received. Award was withheld pending answer from Corps of Engineers as to the required completion date.

Structures - April 9 Mr. Wright, Mr. Van Norman and the Director met with residents of Manasota Key to discuss contract operations and the protection of structures and vegetation.

Sec. 3 - Corps of Engineers opened bids on April 13. Eight bids were received; the low bidder was the Norfolk Dredging Company of Norfolk, Va. with a bid of \$1,194,054. The bid was accepted and notice to proceed issued on April 22. Pre-construction conference was held in Clewiston on May 6, attended by the Staff.

S/A S3-10A - Mr. Merrin is preparing plans and specifications for the diking of this area.

Riprapping - Corps of Engineers confirmed that cut in City of Venice would be riprapped if experience indicates it to be necessary.

LANDS

Sec. 2 R/W Sarasota - Revised attorney's certificate was sent to Corps of Engineers.

Sec. 3 Von Neumann Tract - On April 19 Mr. Wright, Mr. Smith, Mr. Van Norman and the Director met with the attorney for the owners of the tract at US 41 and Center Road. Claims of damage due to construction of South bridge is in suspense until attorney furnishes more information.

S/A S3-4 DWR & MSA S-31A - At request of Corps of Engineers additional rights in S/A S3-4 were obtained and order of taking was amended. Additional \$30,000 was deposited with the Clerk of Circuit Court. This action concluded on April 23 completed land acquisition for Sec. 3.

S/A S-10A - Trustees granted necessary release of use of beach spoil area.

Right-of-way - Corps of Engineers wrote to Mr. B. B. Dunn denying permit for fill near Fishermen's Wharf.

Sarasota Sec. 4 - Data on proposed sale of submerged land at Tarpon Center were furnished Mr. Dye for use in claims of erosion damage.

BRIDGES

Venice Avenue - State Road Department was advised of approval for the installation of four lights as requested by City of Venice, and the installation of barrier curbs at the underpasses as recommended by State Road Department.

Foot bridge - Data on legal action were furnished to the Corps of Engineers. The Corps of Engineers wrote to the South Venice Civic Association informing them the bridge would be removed in June but that the Civic Association might remove the bridge in advance if they wished to salvage the material. Mr. Simmons acknowledged a letter from the South Venice Civic Association to Governor Burns.

ADMINISTRATION

Anclote River - Draft of resolution supporting the re-examination of Anclote River project was prepared.

Small Projects - Draft of proposal for District participation in financing the "small projects" was prepared for consideration at the May 10 meeting.

Venice Avenue Bridge Escrow Account - State Road Department wrote Manatee County banks to withdraw \$166,600 from Escrow Account. Four banks transmitted funds; First National Bank will make disbursement of \$35,604 on May 12.

Cape Haze - Mr. Merrin, Mr. Van Norman and the Director visited Cape Haze on April 19; discussed dredge and fill permit and the desire of the Corporation to obtain release of 25 ft. width of right-of-way. Corps of Engineers approved the requested dredge and fill permit.

588c

May 10, 1965

WEST COAST INLAND NAVIGATION DISTRICT  
Programmed Expenditures to September 30, 1966  
(In thousands of dollars)

<u>Category of Expense</u>	<u>May 1, 1965 to September 30, 1965</u>	<u>October 1, 1965 to September 30, 1966</u>
<u>Lands</u>		
Expense	23	28
Condemnation awards	80	50
Diking Sections 2 & 3	23	
Structures and damages Sect 2	5	
<u>Utilities</u>		
Water supply, Venice		1
Power relocations	5	
<u>Bridges</u>		
SAL bridge, Placida		400
<u>Engineering</u>		
Salary	3	7
Expense	20	20
<u>Attorneys</u>	3	6
<u>Executive</u>	7	13
<u>Administration</u>	4	8
<u>Commissions</u>	1	30
<u>Contributions, Small Projects</u>		85
<b>Totals</b>	<b>169</b>	<del>638</del> 4
Free balance, May 1 1965	\$215	
Tax revenue May to Sept 1965	20	
	235	
Expenditures to Sept 30, 1965	-169	
Routine expenditures Oct & Nov '65	- 25	
Anticipated balance Dec 1 '65	41	

Tax revenue, current year, @ .25 mill is about \$640,000