

The May meeting of the WEST COAST INLAND NAVIGATION DISTRICT COMMISSIONERS was held at the Manatee County Office Building May 14, 1962.

Present were:

H.H. Anger, Vice-chairman, Charlotte County
A.L. Anderson, Secretary, Pinellas County
L. Elmer Bustle, Treasurer, Manatee County
Mack H. Jones, Lee County
Warren S. Henderson, Sarasota County

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

Absent:

Ellsworth G. Simmons, Chairman, Hillsborough County

ADMINISTRATION

The Vice-chairman called the meeting to order at 2:05 P.M. The Chairman was absent due to a previous commitment. Minutes of the 9 April and 19 April 1962 meetings were approved as presented. The Treasurer's report was read by Mr. Bustle and approved as read. Vouchers #3044 through #3069 covering current bills were approved for payment.

PROGRESS REPORT

The Director gave the report of construction progress for the month of April and commented on the fact that it was the most yardage dredged in any month thus far in Section 5.

Commissioner Henderson asked what changes were made in the re-advertisement of Section 4. The Director and Mr. Merrin said the new plans and specifications had been received just

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before the meeting so could not be analyzed. No changes in Sarasota spoil areas were known to have been made.

Mr. Peterson said that he attended the appropriation hearings before the Committees of the House of Representatives and the Senate on May 10 and 11, that Mayor Brohard appeared at the House Hearing. Mayor Brohard's testimony was not exactly in opposition to the appropriation, he indicated that he thought the matter of the Waterway through Venice could be worked out; that he still favored the "outside" route but apparently recognized that they could not get it. He referred to an unofficial meeting recently held in Tampa at which it was indicated that the conditions in the Venice 1955 resolution would, in substance, be met and if they were the City would give the disputed right-of-way. He stated that he appeared because he felt the Committee should have the facts. Mr. Peterson and Mr. Haley placed statements in the record showing the problem at Venice.

Governor Bryant appeared before both the House and the Senate in support of all Waterways projects in Florida and the question was asked why, if funds were appropriated for the Cross State Barge Canal, would the canal on the west coast be needed. This question was answered in the Committee but Mr. Peterson emphasized to WCIND Board members the need for completion of the West Coast Waterway without delay before much larger appropriations are required for other projects.

Lands - In Sarasota County work is continuing on changes requested by the Corps of Engineers on access or drainage to spoil areas.

In accordance with instructions of the Board condemnation suits were filed on May 4 to complete land acquisition in Section 3. The Corps of Engineers will furnish a formal request for spoil areas in Section 3.

In Pinellas County the previous request by Mr. Anderson that spoil areas on Belleair Causeway be utilized, was brought before the Board. The contractor has estimated that it will cost \$21,100 to reduce the size of spoil area P-39, by putting some of the material on P-40, and to eliminate P-42 by placing the material on P-41 and P-43.

In answer to a question from the Navigation District the Corps of Engineers had been unable to suggest any means of obtaining competition in changing the placement of material among spoil areas. With respect to the legality of the Navigation District contributing the amount required by the contractor Mr. Peterson gave his opinion that such contribution could be made if it was the finding of the Board of Commissioners that the contribution would be "to the best interest of the public and the Navigation District."

Commissioner Anderson moved the Board specifically find it in the best interest of the Public and the Navigation District that the proposed changes in spoil areas be accomplished. The motion was seconded. During the discussion Mr. Bustle asked if similar conditions would apply in other counties, Mr. Anderson answering that he would be willing to apply the same yardstick to any County in the District as is applied to Pinellas County.

Mr. Jones commented on the favorable audit report just received by the District and that he would not like to do anything to jeopardize such reports; further that he could not justify this expenditure as the contract in Section 5 is already let. Mr. Jones stated that for the possible use of spoil from the Waterway in constructing the Lee County airstrip on Gasparilla Island the County was willing to make required contributions. Mr. Anderson stated that in his opinion acceptance of his motion would be money well spent as it would eliminate an island and that he felt that Pinellas County was entitled to this one request. The motion was then voted on as follows:

Commissioner Anderson	Aye
Henderson	Aye
Bustle	No
Jones	No
Anger	No

Bridges - The Director reported that Chairman Simmons has been in correspondence with Mr. Warren Cason regarding necessary work on protecting the piers of the Siesta Key, Stickney Point and Blackburn Point bridges. Work must be done this summer and fall.

Mr. Henderson reported that Sarasota County had an order of taking on the bridge abutment at Albee bridge and there should be no hold up in the County for this reconstruction project.

The Progress Report was accepted.

NEW BUSINESS

(WCIND annex to Minutes, page 37)

The Board passed a resolution/agreeing to contribute 36% of the cost of new construction, an amount now estimated to be \$8,000 towards the incorporation of the Sunshine Skyway

channel as an alternate route of the Waterway. This action will permit utilization of funds to be appropriated for the next fiscal year for "small projects" to complete this alternate route.

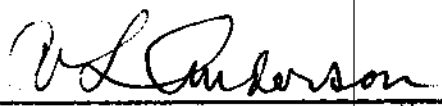
Board approved expenses of travel to Washington by the Director on May 16 and 17 to attend a meeting of the representatives of Florida Waterway projects with the entire Florida Congressional delegation. The Director will also get some ideas while in Washington on how the problems of the footbridge at South Venice can be solved.

The June meeting of the Commissioners was set for June 18. The importance of this meeting was pointed out, it being the time the millage for the new year is set.

The Attorney cited the need for pipeline access and for drainage of waste water for spoil area S 35-1. An easement previously granted has been withdrawn and the Staff has been unable to procure any other access. He read a resolution authorizing condemnation action on this area. The Board (WCIND annex to minutes, page 38) adopted the resolution/and authorized the condemnation action.

The meeting adjourned at 2:50 P.M.


Chairman


Secretary

PROGRESS REPORT

9 April 1962- 14 May 1962

CONSTRUCTION

Progress Section 5 - During April the contract dredge Gahagan Puerto Rico dredged 406,990 cubic yards and advanced 17,160 linear feet. At the end of April the contract was 54% complete.

Testimony for use by Governor Bryant before Congressional Appropriation Committee was prepared by Mr. Peterson and sent to Senator Hodges. Hearing is set for May 10, according to Congressman Haley.

The original advertisement for Section 4 of the Waterway from Tampa Bay to Venice Inlet was amended by three changes and bids were opened on April 19. The low bid from the Huffman Construction Corp. of St. Petersburg exceeded the government estimate so much that an award could not be made. On May 4th the District Engineer issued an advance notice to bidders that the previous bids had been rejected and that Section 4 would be readvertised about May 10, 1962 with bids to be opened about May 28th.

LANDS

Lee County - The Corps of Engineers furnished information on the maximum fill which could be obtained economically from the Waterway for use in the construction of the Lee County air strip on Gasparilla Island. This information was sent to the Board of County Commissioners.

Charlotte County - Mr. J.W. Landis informed the Director that he expected to obtain a quitclaim deed to the peninsula immediately north of spoil area C-30. This peninsula and a contribution will permit elimination of island spoil area C-31.

The Englewood Boat and Country Club notified the Corps of Engineers that they were cancelling their grant of a portion of spoil area C-19. The Corps of Engineers asked for a location of this particular tract and the information was furnished. The Corps of Engineers will determine whether a replacement area will be required.

Sarasota County - Mr. John K. Maddin of the North Manasota Key Association talked to the Director on the feasibility of extending the recently approved bulkhead line to run continuously between spoil areas 11-B and C.

The Staff of the Trustees noted that in the composite spoil areas in Lemon Bay there was a discrepancy between the bulkhead line established by the Board of County Commissioners and the purchase applications of the individual upland owners. Necessary revision of sketches was made by the Navigation District. Mr. Dye asked Mr. Van Ferguson to notify the County officials of the inconsistencies so that proper amendatory action might be taken.

The Director furnished to Mr. Finn Caspersen the quantity of material to be dredged in Section 4 south of Albee bridge.

In spoil area 35-1 Mr. Karl Bickel desires to withdraw the pipeline easement he has granted the Navigation District. The Corps of Engineers has requested that a definite permission be obtained for the removal of waste water from this spoil area to Sarasota Bay. Mr. Merrin is investigating these two matters.

The Director furnished to the Sarasota County Water and Navigation Control Authority statements with respect to the dredge and fill applications by the owners of spoil areas S35-3A and S35-3. The Authority was notified that if these permits were issued and the owners would grant spoil areas for the additional area such easements would be conveyed to the Corps of Engineers.

Senator Randolph Hodges, Director of the State Department of Conservation, furnished information justifying the elimination of spoil area S-39.

Mr. Robert Zinn, Clerk of Sarasota County Water and Navigation Control Authority, advised the Director that the Trustees had approved County action on spoil areas S-40 and S 40-1.

Venice - On April 12 the Corps of Engineers and Navigation District surveyed spoil areas for Section 3. Representatives included the Federal Fish and Wild Life Service, State Board of Conservation, Sarasota County Engineer. On April 11 the Director met with property owners who had previously indicated an interest in obtaining spoil and during the survey discussions were held with officials of Venice Gardens Inc., and the City of Venice.

On April 19 a special meeting of the Board of Commissioners was held at which the attorney was directed to proceed without delay in acquiring remaining right-of-way and spoil areas in Section 3. Use of eminent domain was authorized.

On May 1 Mr. Dye met with representatives of the City of Venice. They declined to grant the remaining right-of-way until all of the requirements of their December 1955 resolution were satisfied. Mr. Dye also met with Mr. Finn Caspersen who declined to enter into conclusive negotiations on right-of-way south of the airport until a firm determination had been made of the attitude of the City of Venice.

On May 4th a suit was filed in Sarasota by the Navigation District against the City of Venice for the lands included in the 1957 contract but not yet conveyed, for specific performance of contract, or if not approved, for acquisition by eminent domain. A suit was filed against O.W. Caspersen for the acquisition by eminent domain of remaining right-of-way south of the Venice Airport.

Mr. Dye met with representatives of the South Venice Civic Ass'n. to discuss problems of access to the two private beaches. Representatives were cooperative and desire a solution but insist upon access to the beaches or a combined beach suitable to the inhabitants of South Venice.

As proposed spoil areas S3-8 and 9 appear to be the only ones in Section 3 possibly requiring a bulkhead line amendment the Corps of Engineers furnished advance information on the requirements. The Director discussed the matter of additional submerged land purchase by Eagle Point Inc. with attorney for the Corporation and was informed that the Corporation was interested in such purchase.

Mr. R.J. Maurer of Belpre, Ohio wrote to Congressman Haley regarding the effect of the Waterway on access of his property in South Venice to the beach. Mr. Maurer was referred to the Navigation District, but has not yet written.

Venice Utilities - On April 17 the Director met with Mr. Guy Curwood, Director of Public Works of the City of Venice, and reviewed utility crossings of Route C-1. Mr. Dye obtained additional information at a later visit. Mr. Frank L. Lanus, associate of Mr. Merrin, is studying the effect of the Waterway upon these utilities.

Colonel Kelly, Assistant Director State Board of Conservation offered the services of his office on investigations they have or will make of Venice water supply. The Director discussed this matter with Mr. Robert Vernon, State Geologist, and agreed the Navigation District would pay up to \$1000 in sharing the cost of the investigations. Mr. Merrin and Mr. Vernon have been in correspondence with the firm of Russell & Axon, Ft. Lauderdale consultants to the City of Venice on water supply studies.

Pinellas County - Mr. Merrin and the Director met with City Manager James R. Stewart and City Engineer Max Battle in Clearwater on April 16 to discuss the possible elimination of island spoil areas. Sketches of these areas were furnished to Mr. Battle and he will discuss the matter with Mr. Bryant of Cahagan Dredging Corporation.

On April 16 Mr. Dye and the Director met with Mr. Jacobson and his attorney Mr. Joseph Rodriguez regarding spoil area P 34-A. Mr. Jacobson granted an additional spoil area easement and a right-of-way easement for the portion of his submerged tract within the canal right-of-way.

BRIDGES

The Director was informed by Mr. Hector Johnson that the proposed budget for the State Road Department did not include protecting the piers of the Siesta Key, Stickney Point and Blackburn Point bridges, work which is required to permit dredging through the bridge. This correspondence was referred to Mr. Simmons who asked Mr. Warren Cason to include the work in the budget.

On May 2 the Director met with Mr. Boyd R. Gernhard and Mr. Moseley Collins to discuss spoil for the Manasota bridge abutments. Later Mr. Collins was informed that there would be no objection from the Navigation District or the Corps of Engineers if the construction contract provided for fill being dredged from the right-of-way.

ADMINISTRATION

Audit report for the period October 1, 1959 to September 30, 1961 was received. No discrepancies were noted.

Senator Holland acknowledged resolution endorsing Route C-1 and pledged his support.

Senator Smathers acknowledged resolutions favoring the re-study of the Tampa Bay-St. Marks section and of the Pass-a-Grille projects in Pinellas County.

Legal notices for the spoil area S-38 and 38-B dredge and fill permit were mailed.

Approval was granted for the exchange of securities used by the Inter City Bank to protect WCIND time deposits.

The Director spoke before the Sarasota Kiwanis Club on April 26 and the Florida West Coast Yacht Club Council on May 9.

The Director attended a meeting in Tallahassee on May 7 of all state agencies interested in the water resources development in Florida. Governor Bryant and Secretary of State Adams spoke to the representagives stressing the need for a unified state program.