The December meeting of the Commissioners of the WEST COAST INLAND NAVIGATION DISTRICT was held December 15, 1967, at the Civil Defense Auditorium, Bradenton, Florida.

Present: Ellsworth G. Simmons, Chairman, Hillsborough County
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
Lamar Matthews, Jr., (Ass't.) Counsel
John R. Van Norman, Jr., Right of Way Agent

ADMINISTRATION

The Chairman called the meeting to order at 10:35 a.m. Minutes of the November 13 meeting were approved as presented. The Treasurer's Report was read and approved. Commissioner Wright requested information on the current rate of interest for time deposits. Commissioner Hutches reported that WCIND is receiving 4-1/2 per cent for a period of one year and 4 per cent for lesser periods. Commissioner Wright stated that the banks in Sarasota were currently paying 5-1/2 per cent.

Vouchers #5138 through #5189 were approved for payment.

PROGRESS REPORT

SCL Bridge at Placida - The Public Service Commission has issued an additional waiver of the rules, but there is no indication that this will be accepted by the railroad.

Spoil Area Acquisition - The Director reported that the owner of the Conover property was not willing to sell less than the entire property, consequently the WCIND had entered into negotiations for the Brown property. An appraisal has been received.

Mr. Wright reported that there is a 27 foot discrepancy between property lines in the area and that there is a possibility that property could be obtained from the state. Mr. Wright presented a map showing the area in which there is a question of ownership. The Board ruled that negotiations for property should cease until the question of boundaries and titles is investigated further.

S/A S3 - 3 - On motion duly made and seconded, the Director was authorized to advertise material from S/A S3-3 for sale. Price is to be a bid price per year with no qualification regarding amount of material removed. Restrictions regarding condition of area should be carefully drafted. If bids are inadequate, the Board reserves the right to reject them.

S/A S3 - 4 - The Director reported that Mr. Dale Morrison had signed the contract for purchase of material from S/A S3-4.

Litigation - The Florida Supreme Court granted hearing on December 13 on WCIND vs. W & A Construction Corporation (Caspersen acreage). The ruling should be received within two months.

Construction Planning - The Director reported that Mr. Dye and he had conferred with Mr. H. P. Barksdale of the CE in Venice on November 22, concerning plans for remaining work on the waterway. Various other people had been consulted, including the City Administrator of Venice. The only request was for a drainage structure on the east side of the canal near the railroad station. Since the canal is not causing the problem the CE again rejected this request. The City of Venice wants to change the preexisting drainage and the CE will not pay for it. Rip rap plans appeared to be adequate. Since the con-

ference, WCIND has received "General & Detail Design Specification", based on matters discussed at the conference. Copies have been forwarded to City of Venice, Sarasota County, and Dr. Caspersen for comments. This area will be inspected again. This is the last work planned by the CE using construction money.

Air Conditioner - The Director reported that the repair bill of $48 for the air conditioner in the Perrine Plaza office, provided by Manatee County, had been refused by the Director, and by the Manatee County representative. It had been sent back to the owner of the building who insisted it was an obligation of the tenant. A motion was duly made and carried that the Director, Attorney, and Commissioner Hutches resolve this matter.

Temporary Employees - The Director reported that Mr. Cole had requested permission for overtime work on November 29. Since he was behind and would work at his regular rate of pay ($3.75 per hour) the Director approved the request subject to approval of the Board. Mrs. Jacqueline Rotruck was requested to work overtime at a rate calculated to be $2.10 per hour, subject to the approval of the Board. A motion was duly made and carried that temporary overtime employment of these two employees at rates specified be approved.

Motion was duly made and carried that the Progress Report be accepted as presented.

NEW BUSINESS

The Director reported to the Board on Mr. Dye's request for files in his office in which to place WCIND material as well as a need for space in which to place material to be received from Mr. J. Hardin

Peterson and Mr. Joe K. Merrin's office. He suggested that he would present a specific proposal to the next Board meeting. The Chairman stated that if WCIND needs these files it should be handled as an administrative matter. Files should be purchased as required and kept in the District's inventory. This subject need not come before the Board. As the Board has always adhered to the limits set for counties, $1,000, bids are not required for the currently suggested purchase. The Director should take appropriate action.

Annual Report - Due to the pressure of other work, the Director reported that it is not yet ready for publication but that copies of the HIGHLIGHTS were being distributed to the Board members for their comments; the rest of the report will be forwarded to each member for their review prior to the next meeting.

Sale of Spoil - The Director discussed the Deans and Kent contracts. These contracts have been completed and cross-sections have been obtained from Hansgen & Associates. According to cross-sections, Mr. Deans owes WCIND $1,790 and WCIND owes Mr. Kent $520. The Director has sent Mr. Deans a bill for the amount apparently owed, but Mr. Deans denies that he has removed this amount of material. It appears that there will have to be a negotiated settlement. The Director proposed to discuss the matter with Mr. Deans and to make a recommendation at the next meeting.

The Chairman suggested his concern that there is a question as to WCIND's right to extend credit to anyone. The Director reported that Mr. Deans had made regular progress payments and that the new contracts require the successful bidder to maintain a balance with

the WCIND. The question of a rebate to Mr. Kent must be resolved even though Mr. Kent has not submitted a bill. The Director was instructed to submit a recommendation at the next meeting.

Closing of Bridge - The Director reported that a notice had been received from the Road Department regarding their intentions to close the bridge at Longboat Pass from 9 p.m. to 7 a.m. He advised the Board that this was part of a larger program to reduce the number of bridge tenders required and that he would present no objection unless otherwise advised by the Board.

Governor's Water Resources Development Conference - If the WCIND desires federal funds for waterway construction on the approved project, these should be presented at the Governor's Conference on Water Resources in January. The Director stated that he had no requests for any additional Federal expenditures on the approved waterway, and asked the members if they had any. Small projects wereediscussed but no proposals for waterway construction funds were made.

The Chairman suggested that WCIND prepare and present to the State sponsor of the "Missing Link", a resolution to the effect that WCIND expresses its willingness and interest to cooperate with the sponsoring agent. Since WCIND also represents two counties, Pinellas and Hillsborough, located on the "Missing Link", the WCIND believes activities should be coordinated and not individually done.

Motion was duly made and carried that a resolution to this effect be prepared and presented to the Board of Conservation, the sponsoring agent for the St. Marks to Tampa Bay waterway.

The Director requested authority for members and staff to attend the Florida Waterways Association annual meeting on January 28, and the Governor's Conference on January 29, in Tallahassee. Motion was made and carried that members and staff may attend with expenses paid by WCIND.

MVA Convention - Motion was made and carried that members and staff be authorized to attend the Mississippi Valley Association convention in St. Louis February 3 through 6, 1968, at District expense. Commissioner Robert C. Hutches and the Director were designated to represent WCIND.

The Director asked for Board members' reports on their counties' WCIND representative for 1968. The Chairman stated that, since there has been no election of Commissioners for the coming year, no letters are required and members should continue to serve on the Board until notified otherwise.

The next meeting was set for Monday, January 15, 1968, 10:30 a.m.

The meeting adjourned at 11:45 a.m.

Chairman

Dorothy R. Flowers
Secretary

PROGRESS REPORT

November 8 - December 4, 1967

BRIDGES

SCL Bridge at Placida: The J. E. Greiner Company reported the survey and foundation investigation as 90 per cent complete and the plans as 50 per cent complete on November 30, 1967.

On September 6, 1967 the J. E. Greiner Company, on behalf of WCIND, filed an application with the Florida Public Service Commission for exemption from Florida Railroad Clearance Rules for the SCL bridge at Placida. This was granted on October 23, 1967. The request meets the standards of the American Railway Engineering Association and the approval was routine; it states that the track involved is a main line track and that warning signs are required. The SCL continues to take issue with the exemption granted. If not resolved shortly, this will result in a further delay in the SCL Bridge. If the SCL does not accept the restriction that movements over the bridge be limited to "main - line through movements" or if the PSC does not revise the exemption granted, the bridge will not only be delayed but the cost probably will be increased about five per cent, approximately $25,000.

Hatchett Creek Bridge:- A bill was received from SRD for $5,730.51, based on a total cost of $18,191.81, for dredging the channel under Hatchett Creek Bridge. The bill appeared to be in error and was returned to the State Road Department for reconsideration.

CLAIMS

The McElmurray property was photographed at maximum low tide.

LANDS

Encroachments: Settlement offers were made to owners of Gregg and Halton properties on Siesta Key to which no reply has been received. Field surveys have been completed indicating approximately five other encroachments along the easterly shore of Siesta Key.

Spoil Area Acquisition: Lee [illegible] maintenance spoil area relocation conveyance received f[illegible] of the Internal Improvement Fund. Conveyance to U[illegible] was executed and recorded. Charlotte County - Conveyance instrument and supporting data for maintenance spoil areas C-10A, C-11, C-12 and part of

C-13 were forwarded to TIIF for review and conveyance. Areas were studied and approved by U.S. Fish and Wildlife Service and the Florida Board of Conservation; locations were modified to comply with wishes of conservation interests. Ownership and appraisal information secured on Walrath acreage (approximately 36 acres) north of Knight's Bayou.

Sarasota County - On November 15, the Board of Commissioners, Sarasota County, was officially advised of remaining spoil area requirements in Sarasota County.

Dr. John Caspersen was provided information and maps concerning the requirements of WCIND in his area. A conference is being arranged.

On December 1, Mr. Dewey Dye, Jr., Mr. Jack Van Norman, and the Director presented to the Board of Directors, Casey Key Protective Association, all spoil area requirements in the Casey Key Area. The conference appeared to be fruitful and the Board helpful.

Negotiations were conducted for possible purchase of 100 feet of Conover property in U.S. Lot 3, Section 22, Township 40 South, Range 19 East, on Manasota Key. Negotiations were discontinued when owner was unwilling to sell less than his entire 200 foot frontage. Field study and abstract information ordered on alternate locations.

Field investigation completed for location of maintenance pipeline easements across Palmer Estate property at north end of Casey Key. Locations have been selected and survey information ordered. Two pipeline areas will eliminate requirement for acquiring all of Bird Island. Modification of Bird Island spoil area at Midnight Pass completed.

S/A S3-3 - On November 16, 1967, the Director inspected S3-3 in company with Mr. Dale Morrison, of Morrison Trucking Company. Mr. Morrison offered to repair the badly eroded areas for $400 plus the cost of seeding. Other offers are being solicited.

Material from this spoil area was advertised for sale with bid opening on December 11, 1967.

S/A S3-4 - On November 16, 1967, Mr. Dale Morrison did not sign the contract offered for purchase of material from S/A S3-4 in accordance with the terms of his bid. He has requested a de-

lay in closing until it could be determined if the material in S3-4 was still acceptable to Sarasota County for use in soil cement. He was advised by the Director that he could be granted a reasonable delay in view of the circumstances, but that if he did not sign the contract by December 12, 1967, his $500 deposit would be forfeited.

The cause of Mr. Morrison's apprehension was the rejection by Sarasota County of a job performed in Gulf Gate using material from S/A S3-4. The quality of the material was questioned and its acceptability for use in other jobs within Sarasota County became uncertain.

ADMINISTRATION

Litigation - An Order of Taking has been entered in Charlotte County in the case of WCIND vs. Basel. This is the upland portion of MSA C-29A, on the east approach to Tom Adams Bridge.

In WCIND vs. W & A Construction Corp. (Caspersen acreage) the Florida Supreme Court has granted certiorari and set case for hearing on December 13 in Tallahassee. Briefs have been completed and filed on behalf of WCIND.

In City of Venice vs. Norfolk Dredging Co. the Circuit Court in Sarasota County has set the case for hearing on all pending motions for January 5.

In Bernhard vs. WCIND, witnesses were interviewed in connection with preparation for trial.

- - - - - - - - - -

Planning - Mr. Dewey Dye, Jr. and the Director conferred with Mr. H. P. Barksdale of the Corps of Engineers, in Venice, on November 22, concerning plans for spoil area procurement, for remaining work to be done on the waterway, and for maintenance of waterway areas.

Financial - $50,000 Certificate of Deposit in Bank of Palmetto was renewed for one year at 4-1/2 per cent, on November 18, 1967.

Air Conditioner, heater - A bill for $48.00 was received for repairs to the heat pump provided by the owner in the WCIND office in Perrine Plaza. This bill has been rejected by the Director, by the Manatee County representative, and by the owner of WCIND office.

Resolution 103 - Millage FY 1968 - It was discovered that a clerical error existed in Resolution 103, setting the millage for FY 1968, in that date of approval was shown as 10th day of June 1966 rather than 1967. The error was corrected and each County was sent a corrected copy.

Temporary Employees - In accordance with authority granted at the November meeting, Mr. Jack Van Norman was employed at a salary of $3.50 per hour beginning November 13, 1967 and Mrs. Jacqueline M. Rotruck was employed at a salary of $300 per month beginning November 16, 1967.

On November 29, Mr. Darrell L. Cole was authorized to work over time at his regular rate of pay, $3.75 per hour, subject to approval of the Board at the next regular meeting.

On December 1, Mrs. Jacqueline M. Rotruck was authorized to work over time at a rate of $1.75 per hour, subject to approval of the Board at the next regular meeting.