

The August Meeting of the Commissioners of the WEST COAST INLAND NAVIGATION DISTRICT was held August 14, 1967, at the Civil Defense Auditorium, Bradenton, Florida.

Present were:

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
Dewey A. Dye, Jr., General Counsel
Gilbert A. Smith, Associate Counsel

ADMINISTRATION:

The Chairman called the meeting to order at 10:30 a.m. Minutes of the July 14 meeting were approved as presented. The Treasurer's Report was read and accepted. The Director reported that the WCIND Checking account was reduced \$150,000 by transfer to Time Deposits: \$50,000 to First National Bank, \$50,000 to Bank of Palmetto, and \$50,000 to the Island Bank. Vouchers #4982 through #5024 were approved for payment. The Director reported that this month's vouchers include \$1,500 for renewal of the Ground Water Study contract. Renewal of this contract was approved.

PROGRESS REPORT

Construction - The Director announced that the placement of bank protection material at Venice should be complete in two to three weeks.

Bridges - A permit has been granted by the Corps of Engineers for the SCL Bridge construction at Placida; design work started upon receipt

of the permit, to be completed by February 7, 1968. The Chairman inquired of Commissioners Daniels and Flowers if they had received any local questions regarding the proposed construction of the SCL Bridge. No problems were reported.

Legislation - A copy of Chapter 67-269 Florida Statutes was received on July 24, 1967, and copies forwarded to Commissioners. This law provides for transfer of title to all land held by the State or any of its agencies to the Trustees of the Internal Improvement Fund on September 1, 1967. Right of way and borrow pits are exempt as well as certain public agencies. The question is whether or not this law applies to the WCIND or to any of the property held by, or to be acquired by, WCIND. A staff conference is now scheduled for Thursday, August 17, in Tallahassee, with representatives of Board of Conservation, Trustees of the Internal Improvement Fund, Attorney General's Office, and other interested agencies. Motion was duly made and carried that the Director and Mr. Gilbert Smith be authorized to attend this meeting.

Budget - On July 17, a request was received from the Board of Conservation that we re-submit our budget in a prescribed form different from that previously used. This was done. Minor changes were necessary to fit the form but the basic budget was the same as approved by the Board on April 14, 1967; no changes were made to bring the budget up to date. This budget was approved by the Board of Conservation on August 1, 1967.

Artesian Well - Waterway - On July 26, Mr. Farrell of the

Sarasota County Health Department submitted an analysis of the water flowing from the well in the Waterway at Venice to the Division of Water Resources, Board of Conservation, requesting advice as to the need for corrective action. Additional information will be obtained in Tallahassee.

Matching Funds - WCIND Resolution No. 102, our request for matching fund from the Water Resources account for FY-1968, was returned by the Board of Conservation because "it will not be possible to allocate any funds to WCIND at this time." As suggested, the Director will submit an inquiry in July, 1968, regarding the availability of funds.

Engineering Service - Hansgen and Associates were hired to check the survey of the Retty property in Venice. Services are to be paid for at the same rate and under the same conditions as pertain to Sarasota County. The service of a surveyor will be required in Charlotte County shortly. Information has been requested from Mr. William Martin regarding his rates and terms. In regard to work to be done in Pinellas County, Commissioner Anderson recommended the use of Anderson Engineering Company (no relation). The Chairman suggested that the Director request of the various counties their rate schedule for survey work and present this at the next Board Meeting.

Financial - The Director reported that maturing dates of Time Deposits are being adjusted to provide a steady flow of funds to meet anticipated requirements without loss of interest. As practicable, Time Deposits are being extended to one year at four and one half per cent.

Draftsman - Mr. Darrell Cole was hired as a draftsman by WCIND at a salary of \$150 per week beginning July 17, 1967. Hillsborough County moved him into their new Engineering Department facility at 1201 Orient Road, Tampa, Florida, July 14.

SA S3 - 6 - The Director attended a conference with representative of the Corps of Engineers and the Board of Public Instruction, Sarasota County, August 3, concerning drainage from the vicinity of Spoil Area S3 - 6. There is a serious drainage problem and some form of drainage structure is required. The Director reported that it is his belief that responsibility lies with the Corps of Engineers or School authorities, not WCIND.

The Director reported that he has cancelled use of Answering Service on August 1, 1967, since this service is no longer required.

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

STATUS REPORT

Microfilming - The Director announced that the only significant changes in the Status Report, General, concerned the items on Microfilming and Consolidation of Files. The Attorney General has provided information that no public records may be destroyed or otherwise disposed of without the consent of the Florida Board of Archives and History, which has not been formed as yet. No further action will be taken until this Board is established.

NEW BUSINESS

Johns Pass Project - Commissioner Anderson requested that an opinion be obtained from the Attorney General regarding the legality of WCIND contributing funds to the Johns Pass Project.

Motion was duly made and carried that Mr. Dye request such a ruling from the Attorney General.

Sale of Spoil S/A S3 - 3 & S3 - 4 - The Director outlined a proposal as set forth in his Memorandum dated August 10, 1967, to the Board members. Commissioner Wright reported on action being taken to correct the haul road problems with S/A S3 - 3. Commissioner Anderson questioned the need for so many contracts. Mr. Dye pointed out that one of our main objectives was to dispose of spoil. Commissioner Simmons suggested that no contracts be awarded unless there are at least two bids.

Motion was duly made and carried that action be taken as detailed in the proposal for Sale of Spoil and as amplified by the Chairman, Commissioner Simmons.

Acquisition of Spoil Areas - Mr. Dye reported that one of our maintenance spoil areas in Charlotte County was ready for acquisition by purchase. This consists of a string of four lots on three Keys in the Palm Island subdivision between the Waterway and the Gulf for use as a pipeline easement. Appraisals on these properties have been received and the contracts submitted. The Attorneys and Appraisers have determined that it would be to the advantage of WCIND to purchase the property in fee simple. Mr. Dye requested authorization to go ahead with this proposed purchase if it is determined on Thursday that there will be no problem involved with the State.

Motion was duly made and carried that acquisition be made subject to the attorneys' findings after the trip to Tallahassee.

Mr. Gilbert Smith then presented appropriate resolutions and reported on several properties in Charlotte and Sarasota Counties. These

are to be obtained by condemnation, if necessary. An area near the Englewood Bridge, in Charlotte County, was appraised at \$15,000, and the owner will not sell for that price. A resolution is now required to condemn it.

The property required in Sarasota County consists of two (2) - 25 ft. pipeline easements to the Gulf on Caspersen property plus a permanent spoil area where Phillippi Creek joins the Waterway and one at Midnight Pass on an island known as Bird Island. We have appraisals on these but no settlements appear possible. The problem with Mr. Caspersen has been discussed; negotiations will continue but condemnation appears necessary. The Phillippi Creek property and Bird Island belong to the Palmer interests. Condemnation appears to be necessary in these cases to clear the titles because of estate settlements involved.

Mr. Dye reported that WCIND still needs one more area between Cape Haze and Stump Pass, in addition to the areas now being sought and the Cape Haze property for which we are now negotiating, to complete required spoil area acquisition south of Venice. Discussion followed on acquiring property for pipeline purposes, and whether or not WCIND could be held liable for damage from pumping to the Gulf. Commissioner Simmons questioned the propriety of condemning from a private owner the right to spoil in an adjoining area, the Gulf, that does not belong to that private owner. Commissioner Anderson then referred to the resolutions submitted by Mr. Smith and stated that the resolutions should be modified as follows: a)...a special tax-

ing District "in" the State of Florida, not "of"; b) the Corps of Engineers has requested that we acquire certain areas for spoil; c) we do not condemn the right to deposit spoil into the Gulf of Mexico.

Motion was duly made and carried that, subject to the changes above noted, Resolution No. 107, relating to the condemnation of certain property located in Sarasota County, therein described, and Resolution No. 108, relating to the condemnation of certain property located in Charlotte County, therein described, be adopted.

Pinellas County Requirements - The Director then reported that the reported encroachments on the right of way in Pinellas County had been reduced from twelve to one. Considerable progress has been made in determining work remaining to be done although we are not quite ready to summarize all the requirements there in the form of a "Status Report".

McElmurray Claim - The Director reported the receipt of a letter from Mrs. George McElmurray concerning damage to her property from shoaling caused by dredging in the vicinity of Stickney Point. He had previously shown her a chart and pictures which indicated that the property in question was above water at low tide in 1963; therefore, no liability existed. She has requested a meeting with the Director and Sarasota County Commissioners. Commissioner Wright and the Director will represent West Coast Inland Navigation District.

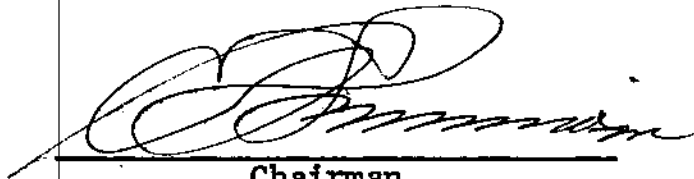
Annual Report - This report is due October 1. The Director had announced that he will be drafting the annual report this month and requested any new instructions from the Board. There were no suggestions.

Director's Salary - The Chairman noted that the Director had been hired about one year ago at a salary of \$7,200 compared to the previous salary of \$9,000. A salary of \$8,400 for the coming fiscal year, starting October 1, 1967, was suggested.

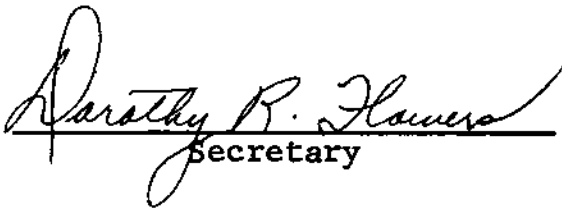
Motion was duly made and carried that this recommendation be approved.

Next Meeting date - September Board Meeting will be on Monday, September 11, 1967, at 10:30 a.m., at the Civil Defense Auditorium, Bradenton, Florida.

The meeting adjourned at 11:45 a.m.



Chairman



Secretary

PROGRESS REPORT

July 6 - August 4, 1967

CONSTRUCTION

Placing of bank protection material at Venice is ahead of schedule. 4,000 tons have been placed; contract is for 6,600 tons.

BRIDGES

The SCL Railroad has received a permit for construction of their bridge at Placida. Design work started on receipt of permit, to be completed by February 7, 1968.

ADMINISTRATION

Legislation - A copy of Chapter 67-269, Florida Statutes, was received on July 24, 1967. This law provides for the transfer of title to all land held by the State or any of its agencies to the Trustees of the Internal Improvement Fund on September 1, 1967. Right of way and borrow pits are exempt as well as certain state agencies. Whether or not this law applies to the WCIND or to any of the property held by, or to be acquired by, WCIND is a question yet to be resolved. A staff conference is being scheduled with representatives of Board of Conservation, Trustees of Internal Improvement Fund, Attorney General's Office, and other interested agencies.

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Artesian Well - Waterway - On July 26, 1967, Mr. William J. Farrell of the Sarasota County Health Department submitted an analysis of the water flowing from the well in the Waterway at Venice to the Division of Water Resources, Board of Conservation, requesting advice as to the need for corrective action. No further information has been received.

Matching Funds - WCIND Resolution No. 102, our request for matching fund from the Water Resources account for FY-1968, was returned by the Board of Conservation because "it will not be possible to allocate any funds to WCIND at this time." It was suggested that an inquiry concerning availability of funds be submitted in July, 1968.

Engineering Service - Hansgen and Associates were hired to check the surveys of the Retty property in Venice. His services are to be paid for at the same rate and under the same conditions as pertain to Sarasota County. The problem to be resolved involves a conflict between surveys previously made by others.

Financial - \$150,000.00 were placed in time deposits. As practicable, time deposits are being extended to one year at an interest rate of four and one half per cent. Maturing dates of time deposits are being adjusted to provide a steady flow of funds to meet anticipated requirements without loss of interest.

Draftsman - Mr. Darrell Cole was hired as a draftsman by WCIND at a salary of \$150 per week beginning July 17, 1967. Hillsborough County moved him into their new Engineering Department facility at 1201 Oriente Road, Tampa, July 14, 1967. Facilities and services are excellent.

SA S3-6 - The Director arranged for a conference with representatives of the Corps of Engineers and the Board of Public Instruction, Sarasota County, August 3, 1967, concerning drainage from the vicinity of Spoil Area S3-6. There is a serious drainage problem involved and some form of drainage structure is required. It appears that responsibility lies with the Corps of Engineers or School authorities. No further action on the part of WCIND is indicated at present.

Sale of Spoil - A conference was held with contractors who had expressed an interest in purchasing spoil from the WCIND on July 20, 1967. The purpose of the conference was to determine what contract terms would be most desirable, hence return the largest yield to WCIND. Agenda item.

Answering Service - Cancelled use of Answering Service on August 1, 1967.