

**WEST COAST INLAND NAVIGATION DISTRICT
MINUTES OF JULY 18, 2012 BOARD MEETING
VENICE CITY HALL – COMMUNITY HALL
VENICE, FLORIDA**

Commissioners Present:

Robert Skidmore, Chair
John Chappie, Vice Chair
Nora Patterson, Treasurer
Ray Judah, Secretary

Staff Present:

Charles W. Listowski, Executive Director
Philip E. Perrey, Counsel

Chair Robert Skidmore opened the meeting at 2:30 p.m. in Community Hall – Venice City Hall, Venice, Florida.

PUBLIC COMMENT – Mr. Pat McCarthy, representative of the Snake Island Republic, addressed the Board. He said that the WCIND Board should continue in the direction of stabilizing Snake Island conditions, and he reminded the Board that Snake Island also serves a physical purpose in providing protection to a bird rookery island located at the mouth of Dona Bay. He also commended the Board and Lee County in particular for the initiative of the USS Mohawk artificial reef placement in northern Lee County waters. He said the new artificial reef will be a huge asset to SW Florida, and is already providing tremendous enthusiasm, within the diving community, as a unique destination.

DEPARTMENT OF ENVIRONMENTAL PROTECTION’S COMMENTS – Mr. Listowski deferred a report to Counsel Perrey, on the pending amendment to rule 62.330 which revises the rule to accommodate the two current NGP rules regarding WCIND activities to improve waterways. These rules have been transferred from other citations. Mr. Perrey suggests that the recently completed Charlotte County RWMS is complete, and we have made an informal inquiry that this study be considered along with the recently transferred NGP documents for inclusion in the pending rule 62.330. Motion by Commissioner Judah, seconded by Commissioner Chappie to have Mr. Listowski draft a letter to the DEP requesting that the Charlotte County RWMS study be considered for inclusion as a Charlotte County NGP in the process for amendment to 62.330. Motion passed unanimously.

U.S. ARMY CORPS OF ENGINEERS’ COMMENTS – Ms. Rayaprolu addressed the Board regarding various projects. The dredging of Cut M-5 is scheduled to start sometime between August 15 and September 15. This activity will include excavation of material west of Jewfish Key in Cut 3 and Cut 4, and also east of Jewfish Key in Cut M-5. Additionally, Cut M-9, adjacent to the northern tip of Anna Maria Island, will be dredged and Cut P-1, adjacent to the Sunshine Skyway, will be part of that project. All material is scheduled to be placed on the outer shorelines of Egmont Key. Ms. Rayaprolu also reported that she is working with District staff to amend the Egmont Key placement authorization to possibly include materials coming from small scale District projects.

She also reported that there is a need to dredge Matanzas Pass again in Lee County due to emergency conditions, and she also cited other impacts coming from Tropical Storm Debby.

She reported that in September the core borings will be completed for the future dredging of the Miserable Mile segment of the GIWW in Lee County, near the mouth of the Caloosahatchee River (OWW entrance).

Ms. Rayaprolu also reported on two beach renourishment projects that are scheduled for Lido Key and Venice Beach in Sarasota County. Commissioner Patterson registered concerns about conditions on Manasota Key and if there are any emergency provisions that could be used to remedy those dangerous conditions to existing homes. Commissioner Chappie requested that Mr. Charlie Hunsicker, Manatee County staff, pose a question regarding conditions associated with Anna Maria Island and impacts from Tropical Storm Debby. Ms. Rayaprolu indicated that she is gathering information about a number of areas including Venice Inlet and emergency conditions at Matanzas at Ft. Myers Beach.

Commissioner Skidmore thanked Ms. Rayaprolu for her attendance stating it was very valuable for the Board. Commissioner Chappie suggested that the District should look into some sort of electronic or “Skype” connection in the event that Ms. Rayaprolu had difficulty attending future meetings. Consensus of the Board was to explore these kinds of alternatives and possibly a webinar format as suggested by Ms. Rayaprolu.

CONSENT AGENDA – Commissioner Chappie pulled the May 2012 minutes for discussion.

Commissioner Chappie made a motion to approve the balance of the consent agenda.

Commissioner Chappie would like to add the following sentence to the section of the May 11, 2012 minutes regarding DEP comments: “FDEP agreed with the concept of a singular study that is eligible for state cost sharing and involves WCIND planning documents and Manatee County/Town of Longboat Key planning documents.” There was a motion by Commissioner Chappie to include the sentence regarding FDEP cost sharing, seconded by Commissioner Judah, and motion passed unanimously.

ADMINISTRATIVE AGENDA –

1. Project Status Report – Mr. Listowski reported to the Board that District projects will be presented in PowerPoint fashion as was previously done at the last Board meeting. He began the presentation with aerial photos depicting the projects on Anna Maria Island involving the dredging of the Bimini Bay/Key Royale channel and the LaVista channel area north of the fishing pier. He reported that the permit for this project will be modernized for future events and will include potential improvements to both inlets. He also showed the survey reports associated with the City of Anna Maria internal canal system, indicating deficiencies to be addressed in a future permitted project.

Mr. Listowski reported that in Lee County, the Broadway/Hogue project is now supplying good quality beach fill to a nearby county beach. He also showed the result of the Government Cut dredge material management area in its final condition, the completed conditions for the Caloosa Isles canal along the Caloosahatchee River, and explained the imminent Punta Rassa boat ramp dredging project.

Mr. Listowski reported that the Cherokee Park project in Englewood for Sarasota County is nearing the final permit phase. It has been a difficult project with the various components and permitting. He then reported on the conditions at the Venice Inlet and Snake Island. He showed pictures of the impacts of Tropical Storm Debby on the Venice jetties and reported on imminent repairs to the jetties that will be underway and are pending final permitting. He also showed pictures of the Venice police/fire boat dock facility that is owned by the District and used by various enforcement agencies. The portable building on the site will be moved to a more stable location on the property due to concerns for the conditions of the seawall, which will be repaired.

In Charlotte County, Mr. Listowski showed the final pictures associated with the Boca Grande train trestle removal project. He also showed aerial photos of Stump Pass conditions.

Mr. Listowski introduced by Mr. Justin McBride, from Lee County, to make a brief presentation about the sinking of the historic USS Mohawk ship as an artificial reef off Lee County waters. Mr. McBride shared many historical facts about the Mohawk and stories regarding the logistics of acquiring, preparing, and deploying this vessel as one of the newest adventure destinations in SW Florida.

2. Fisherman's Wharf Quiet Title Lawsuit Summary Judgment – Mr. Perrey gave a detailed report regarding a lawsuit that he has been working on for the past six years. The variables associated with this case were many and were very challenging. After many research oriented challenges and several court hearings, WCIND prevailed regarding a quiet title lawsuit on property that has always been maintained by the District since completion of the waterway. Mr. Perrey did say he anticipates receiving a final lease agreement with the FDOT regarding unimpeded access to this waterfront parcel.
3. WCIND Draft Budget for FY12-13 – Mr. Listowski introduced the draft budget for fiscal year 2012-13 for consideration by the Board. He indicated that the draft budget would be very similar to the fiscal year 2011-12 budget due to economic conditions. He introduced a request made by Sarasota County regarding a special exception to the marine enforcement cap for fiscal year 2012-13. After some discussion, Commissioner Chappie made a motion to increase the cap under special exception for Sarasota County marine enforcement to 32%. Motion was seconded by Commissioner Judah, motion approved unanimously. After discussion by the Board regarding the District reserves, Commissioner Judah made a motion to support staff recommendation to maintain the existing millage of .0394, representing a 2% decrease in revenue, as the advertised millage rate pertinent to TRIM requirements. This motion was seconded by Commissioner Patterson and motion approved unanimously.

OLD BUSINESS – Mr. Listowski introduced possible discussion on a District reserve policy whereby more definition regarding undesignated reserves would be accomplished via a draft resolution submitted to the Board for review. Mr. Perrey then presented budget considerations regarding GASB 54, new generally accepted accounting principles (GAAP) used by State and Local governments regarding government funds. He explained there is a new nomenclature in explaining various funds including reserves. Mr. Perrey went further to point out pages within the fiscal year 2011-12 audit report regarding GASB 54, and guidelines for expenditures of reserve funds. Commissioner Judah apologized for his need to leave the meeting due to an important appointment, but he wanted to discuss the issues of pre-construction expenses by counties. He expressed that the District's long standing rule to restrict ineligible pre-construction expenses should be retained. Commissioner Patterson then suggested the rule should be amended to allow counties to expend funds on pre-construction expenses. Mr. Listowski suggested that one strategy to explore would be the definition of the uncommitted reserves to give the Board a stable budgetary figure during emergency conditions. Commissioner Judah suggested, on the issue of pre-construction costs, that a cap might be explored for these kinds of expenditures. Commissioner Patterson expressed the need for a workshop to discuss District policies and make adjustments as needed. Commissioner Judah then left the meeting. The commissioners deliberated about a meeting time. After some discussion, August 23 at 1:30 p.m. was a suggested time for the workshop.

Commissioner Chappie expressed interest in a copy of the 5 Year Strategic Management Plan and expressed that long-range planning should be an important goal of the District. He also expressed a continued need to evaluation the Executive Director, and then he passed out a draft evaluation form developed by Manatee County staff for review by the Board. He also suggested that the District web site could provide much more timely information as far as District projects, budget, events, etc. Commissioner Patterson then reiterated the need to develop a user-friendly understanding of the benefits and policies of the District to the member counties.

Meeting adjourned at 3:52 p.m.

Next meeting will be held on September 14, 2012 at 4:00 p.m. in Council Chambers at the Venice City Hall.