

**WEST COAST INLAND NAVIGATION DISTRICT
MINUTES OF FEBRUARY 8, 2010 BOARD MEETING
VENICE CITY HALL – COMMUNITY HALL
VENICE, FLORIDA**

Commissioners Present:

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

Staff Present:

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

Chair Ray Judah opened the meeting at 2:30 p.m. at Community Hall – Venice City Hall, Venice, FL.

PUBLIC COMMENT

Mr. Fred Hammett, Venice, re: YMCA-Achieve Grant – Mr. Hammett addressed the Board regarding the potential for shade trees to be planted along the Venetian Pedestrian/Bike Trail, located within the ACOE ROW, through Venice. Mr. Listowski explained that the primary stipulation from the ACOE was no vegetation planting within the ROW. After some discussion, Commissioner Patterson made a motion that Mr. Hammett submit a proposal to Mr. Listowski that could be forwarded to ACOE for positive consideration. Commissioner Skidmore seconded the motion, and the motion passed unanimously.

Mr. Bruce St. Denis, Town of Longboat Key Manager, re: Longboat Key – Mr. Bruce St. Denis addressed the Board regarding the needs of Longboat Key for coastal beach fortification due to severe erosion. After much discussion, the Board directed Mr. Listowski to discuss strategies with county and local officials that would address remedial actions to stabilize conditions.

Mr. Pat McCarthy, Nokomis, re: Snake Island – Mr. Pat McCarthy addressed the Board as a representative of a volunteer group that appreciates the opportunity to recreate on Snake Island and Rattlesnake Island. He expressed the desire by his volunteer group to continue responsible use of these islands, including island clean-up.

Mr. Steve Koski, Venice, Researcher from the University of Miami, re: Snake Island – Mr. Steve Koski addressed the Board, as a local archaeologist with knowledge of historic features found on Snake Island. He expressed interest in continuing an initiative to preserve Snake Island in a cooperative arrangement with WCIND. Motion by Commissioner Patterson to request cooperative strategy with ACOE to stabilize Snake Island, seconded by Commissioner Chappie, and the motion passed unanimously.

DEPARTMENT OF ENVIRONMENTAL PROTECTION’S COMMENTS – Mr. Listowski reported, again, on the status of the Lee County NGP. He indicated to the Board that February 18, 2010 was an effective date for the rule, according to an FDEP announcement.

U.S. ARMY CORPS OF ENGINEERS' COMMENTS – Mr. Tim Murphy, ACOE Project Manager, was unable to attend the meeting, but reported to the Board, by an email letter, on the following:

- The Venice Inlet project commenced in January 2010. Inner Space Construction is making good progress. Construction is to be completed by April 1, 2010. We expect the contractor to finish well ahead of schedule.
- Longboat Pass – The USACOE team continues to move forward with design, permitting, and environmental documents for the realigned channel. USACOE is still hopeful to contract for improvements to Longboat Pass in late 2010. Close coordination will continue between the parties involved (USACOE, WCIND, Town of Longboat Key, and others).
- Sunshine Skyway - The USACOE team is evaluating the data provided by WCIND (surveys and permits) to see the best method to remove the shoaling.
- 2011 Budget - IWW Project is not included in the President's 2011 budget. Any funds received will require congressional "add" dollars as successfully completed in previous years.
- New Pass Authorization - Project is a continuing authority project (CAP) authorized via Section 107 of the River and Harbor Act of 1960 which is a blanket authority for numerous projects that meet a "small" project criteria. The project was approved by the Chief of Engineers on 28 August 1963 and the project was constructed. Section 107 requires a limit on future maintenance costs of 2.25 times the initial construction costs or \$4,500,000, whichever is higher. The \$4,500,000 is the limit for this project and we have exceeded that limit so no further maintenance dredging is authorized.

Commissioner Patterson made a motion to have Mr. Listowski request information regarding re-authorization of the New Pass project by the USACOE, seconded by Commissioner Chappie, and motion passed unanimously. Commissioner Patterson also requested that Mr. Listowski inform Congressman Buchanan's office via letter.

CONSENT AGENDA – Motion by Commissioner Skidmore to approve the Consent Agenda, seconded by Commissioner Patterson, and motion passed unanimously.

ADMINISTRATIVE AGENDA –

1. Federal/State Projects Update – Mr. Listowski – Mr. Listowski reported on pass inlet dredging, Longboat Key, and future request from Congress for O&M activities. He also reported on a new request for Okeechobee Waterway funding.

2. District Project Status Report –Mr. Listowski -

Snead Island Bridge – Reported on the project relative to scouring of bridge piles.

Bimini Bay/Key Royale – A permit modification is being requested to be used to take advantage of beach quality dredged material on a nearby upland bay beach.

Jewfish/GIWW Channel – This project has been delayed, and it is hoped that it will commence in 30 days.

3. Annual Election of Officers – After a brief discussion of election protocol, Commissioner Patterson made a motion to keep the slate of officers the same for the coming year (Chair – Commissioner Judah, Vice Chair – Commissioner Skidmore, Treasurer - Commissioner Chappie, and Secretary - Commissioner Patterson), motion was seconded by Commissioner Chappie, and motion passed unanimously.

COMMISSIONERS' ITEMS – Commissioner Judah presented Mr. Listowski with a plaque from the Fort Myers Beach Area Chamber of Commerce for work done to secure an emergency permit and funding allocation for USACOE dredging of Matanzas Pass in Lee County.

Commissioner Patterson, re: City of Venice, 3 acres of WCIND property used by Sr. Friendship Centers – Commissioner Patterson described an issue involving the City of Venice and the Federal Aviation Administration regarding the use of a portion of the WCIND maintenance spoil area property in South Venice. Mr. Listowski reported that he and Counsel Perrey have met with City of Venice and Sr. Friendship Center officials, and feel confident that usership concerns of the FAA can be remedied. Commissioner Patterson made a motion, seconded by Commissioner Chappie, to have Mr. Listowski assist the City of Venice in negotiating issues with the FAA. Counsel Perrey introduced the Board to a renewed agreement with the Sr. Friendship Centers for property use. The agreement was approved via Board consensus for signature.

WCIND COUNSEL'S REPORT – Counsel Perrey, re: Fisherman's Wharf lawsuit – Counsel Perrey will file legal motions involving District property, FDOT property, and private property boundaries in Sarasota County on behalf of the WCIND. Commissioner Patterson made a motion to approve Resolutions 2010-01, 2010-02, and 2010-03 associated with the case, seconded by Commissioner Chappie, and motion passed unanimously. After some discussion, Commissioner Patterson made a motion to allow Mr. Listowski to spend up to \$10,000 for special legal fees associated with the status of District lands and a historical review of Fisherman's Wharf issues. This motion was seconded by Commissioner Skidmore, and motion passed unanimously.

EXECUTIVE DIRECTOR'S REPORT – Mr. Listowski reported that FDEP will perform hazardous material testing on District lands in South Venice linked to a historic military airfield.

Meeting adjourned at 3:41 p.m.

Next meeting will be held on Monday, May 10, 2010 at 2:30 p.m. in Council Chambers at the Venice City Hall.