

**WEST COAST INLAND NAVIGATION DISTRICT
MINUTES OF APRIL 4, 2003 BOARD MEETING
VENICE CITY HALL – COUNCIL CHAMBERS
VENICE, FLORIDA**

Commissioners Present:

Nora Patterson, Chair
Joe McClash, Treasurer
Mac Horton, Secretary
Bob Janes, Alternate

Staff Present:

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

Chair Nora Patterson opened the meeting at 10:00 a.m. at Council Chambers – Venice City Hall, Venice, FL. Mr. Listowski called the roll and determined that a quorum was present.

CONSENT AGENDA – The consent agenda was approved by consensus of the Board.

ADMINISTRATIVE AGENDA

1. **WCIND as Funding Source for Coastal Pass/Inlet Management** – Mr. Listowski provided the Board with a background of activities via District enabling statutes regarding coastal management issues. Commissioner Horton expressed an interest in having a research report by staff concerning various scenarios by which the District could provide assistance to member counties. Commissioner Horton described Charlotte County's initiative that would provide assurance of open and viable conditions at Stump Pass for approximately 8 years. Commissioner McClash suggested that Charlotte and Sarasota counties come up with a regional management scenario including costs associated with long-term maintenance of the Pass. Discussion ensued regarding the current Charlotte County initiative that could include up to 3 maintenance dredging events of the newly aligned inlet within the 8-year period of management. Commissioner Patterson related to the Board the Sarasota County initiative to explore meaningful possibilities associated with an open and viable Midnight Pass. Commissioner Patterson described a conceptual scenario involving a regional source of funds from WCIND for coastal management issues, such as inlet maintenance, only if all member counties had issues of similar concern to the Midnight Pass and Stump Pass conditions. This conceptual scenario would allow for equitable distribution of funds to deal with these local/regional issues. Consensus of the Board was to have staff come back to a subsequent meeting with an analysis of the enabling legislation and various scenarios of assistance that could be provided to the member counties regarding coastal management of a local/regional basis.
2. **Phillippi Creek Dredge Project** – After a brief status report by Mr. Listowski, Commissioner Patterson offered the County's position on this project. A motion was made by Commissioner McClash to extend the existing contract by 30 days in order to allow District staff to proceed with a strategy to resume the project contingent upon Sarasota County staff concurrence. Motion was seconded by Commissioner Horton. Additional discussion regarding clarification of the motion included comments by Mr. Listowski regarding the need to move the project forward due to seasonal constraints pertaining to weather on the project. Commissioner Patterson assured the Board and Mr. Listowski that the Sarasota County Board of County Commissioners would review the project as soon as the following week to allow timely resumption of the project. Motion passed unanimously.

3. **Palm Island – Report by Counsel Perrey on Extension Request** – Counsel Perrey reported to the Board on correspondence and dialogue with the Palm Island Transit ferry operator requesting an additional 5 years on the recent extension to the use agreement for WCIND property. This extension to 10 years would be contrary to WCIND’s codified act, and would constitute the appearance of a franchise without proper bidding opportunities for other companies. Mr. Perrey’s report was informational and an alert that the Palm Island Transit could be requesting a competitive negotiation bid process for an additional 5 years to the existing agreement.
4. **ACOE Encroachment Policy – Report by Counsel Perrey on ACOE Staff Meeting** – Counsel Perrey reported on a meeting with Don Fore and Rick McMillen of the Jacksonville Office of the ACOE. Discussion regarding the apparent encroachment on WCIND property by the Suncoast Foundation/Special Olympics resulted in the suggestion that the building could qualify for retroactive approval by the Corps due to various factors. Additional discussion regarding a new structure for the Big Brothers Big Sisters organization was not considered an acceptable project for this same property by the Corps officials. Commissioner Patterson explained to the Board and staff the discussion undertaken by Sarasota County with the same Corps representatives. Counsel Perrey reminded the Board of the working agreement between WCIND and Sarasota County regarding the use of said property. Mr. Listowski acquainted the Board with the only formal correspondence from the ACOE involving removal of encroachments and the federal government’s encroachment policy as republished December 2002. Commissioner McClash suggested that since this is largely a Sarasota County concern, involving the use of WCIND property, that the County should perhaps lobby the Corps directly regarding its desires and plans to use the property. Commissioner McClash made a motion regarding the suggestion by Commissioner Patterson that Sarasota County represent issues relative to County use of WCIND lands, including the suggestion of swapping of lands with other equal value lands owned by the County, via a direct lobbying effort by the County with the Jacksonville office of the Corps. Motion was seconded by Commissioner Janes and approved unanimously.
5. **Sarasota County Scrub Jay Management Plan** – Commissioner Patterson introduced the Sarasota County Scrub Jay Management Plan initiative by reviewing the fact that WCIND owns properties that represent documented habitat for these birds. Amy Meese introduced aerial maps that correspond with documented nesting activity in the south Venice area inclusive of some WCIND-owned land. Mr. Listowski questioned Ms. Meese regarding the date associated with the data points depicted, and it was determined that the activity depicted on the maps was year 2000 data. Commissioner Patterson suggested that the real importance of the presentation was to continue to encourage support and cooperation from the District as the Habitat Conservation Plan (HCP) is developed in Sarasota County. Mr. Listowski agreed that the District will cooperate and that the District already has entered into some cooperative arrangements with Sarasota County Parks & Recreation and Natural Resources staff. Commissioner McClash made a motion to have WCIND staff work with Sarasota County staff to develop a site-specific habitat plan for the south Venice site and other sites that represent similar concerns. Commissioner Janes seconded the motion, and motion passed unanimously.
6. **Florida Intracoastal and Inland Waterway Study – FDOT** - Mr. Listowski discussed merging items #6, #7, and #8 on the administrative agenda for discussion by the Board. These associated items, FDOT Inland Waterway Study and Okeechobee Economic Evaluation have come to the forefront in terms of an acknowledgment by both state and federal governments that deteriorated waterway conditions result in lost economy and lost public benefit. The initiative undertaken by FDOT is designed to study potential benefits of utilizing waterways to move goods, services, and people in a more efficient manner and in concert with terrestrial methods of transportation. The Okeechobee Waterway Study conducted by the COE was designed to depict deteriorating conditions

and what could be done to restore lost economy. Commissioner Horton made a motion, seconded by Commissioner Janes, to allow staff to register support with the congressional delegation and the state legislation for these initiatives relating to waterway transportation.

7. **Southwest Florida Intracoastal Waterway Infrastructure – Congressional Delegate Response** (Discussed in #6)
8. **Okeechobee Waterway – Inland Navigation Economic Evaluation – Introduction** (Discussed in #6)
9. **Request for Temporary Construction Easement from Charlotte County (Stump Pass Dredging) – Report by Counsel Perrey** – Counsel Perrey reported on a request from Charlotte County to enhance a previously approved easement instrument allowing use of District lands on Palm Island to facilitate the Stump Pass dredging project activity. Commissioner McClash made a motion to allow this enhancement of right of way use by Charlotte County with a proviso that the County be responsible for any environmental issues. Commissioner Horton seconded the motion, and the motion was approved unanimously. Counsel Perrey suggested that the Chair sign the easement document, as it will include the environmental resources proviso.

COMMISSIONERS ITEMS – Commissioner McClash brought up a request from a citizen on Palma Sola Bay regarding condition of San Remo entrance channel. Commissioner McClash directed Mr. Listowski to pursue final permitting for dredging of this shoaled channel-way system. Commissioner Horton addressed the Board regarding a request for additional funds for U.S. Coast Guard Flotilla in Charlotte County for educational equipment for their boating safety program. Commissioner McClash made a motion for \$2,000 to be made available to Charlotte County and that funding is to be repaid to District reserves from future anticipated revenues to Charlotte County. Commissioner Horton seconded motion and the motion passed unanimously.

Meeting adjourned at 11:10 a.m.