

**WEST COAST INLAND NAVIGATION DISTRICT**  
**BOARD MEETING**  
**MINUTES OF FRIDAY, JULY 26, 1996**  
**SOUTH COUNTY ADMINISTRATION CENTER, VENICE, FLORIDA**

MINUTES OF JULY 26, 1996

A regular meeting of the West Coast Inland Navigation District was held on Friday, July 26, 1996 at 10:30 a.m. at the South County Administration Center, Room 228, Venice, Florida

COMMISSIONERS PRESENT:     Joe McClash, Chairman  
                                      Jack O'Neil, Secretary  
                                      Ray Judah, Treasurer  
                                      Sue Dudley, Charlotte County Alternate

STAFF PRESENT:                Charles W. Listowski, Executive Director  
                                      Philip E. Perrey, Counsel

**ADMINISTRATION**

Commissioner McClash called the meeting to order. Mr. Listowski called the roll. Commissioner Judah moved and Commissioner Dudley seconded to approve the Minutes of May 24, 1996. Motion approved unanimously. Commissioner O'Neil moved and Commissioner Judah seconded to approve the invoices paid for the months of May and June, 1996. Motion approved unanimously. Commissioner Judah moved and Commissioner O'Neil seconded to approve the treasurer's reports for April and May, 1996. Motion approved unanimously.

**PUBLIC COMMENT** - Mr. Dan Gaffney, representing the Town of Longboat Key, spoke about the waterway management project which WCIND has funded in working with Dr. Antonini. As a planning and administrative tool, the efforts and results are invaluable. Mr. Pat Reilly, representing the Southwest Florida Marine Trade Association, supports the concept of WCIND sticking with navigational improvements, channel signing, etc. particularly because of the influx of boaters to the area. Those policies will help the association which is concerned with boating safety. However, the association is concerned with the proliferation of signs on the ICW. Stick with navigational aids and safety. Leave the commercial signs to others along the shore.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION'S COMMENTS** - none

**U.S. ARMY CORPS OF ENGINEER'S COMMENTS** - none. Commissioner O'Neil wished the Corps could attend more of our Board Meetings. Perhaps the Corps could fax an update of its activities in advance of our meetings if they could not attend. Commissioner Dudley briefed the commissioners on the Charlotte County workshop to be held on July 27 on navigation, water management, coastal construction, beach renourishment, hurricane mitigation, among other issues.

**OLD BUSINESS**

1. Matanzas Emergency Dredge Report - We have received word from Congressman Goss' office that it is highly likely that we will receive \$375,000 for October 1<sup>st</sup> from the ACOE. Total reimbursement requested will be right around \$600,000.
2. Waterway Management System Project - We just had a lengthy meeting with Sarasota County staff. Dr. Antonini was asked to update the project. About 1/3 of the area (Siesta Key Bridge to Blackburn Bridge) has been surveyed. Final maps on the pilot study are being completed - examples were shown. We will receive two sets of 60 maps each. Mr. Listowski said now we have proof of what we have instead of subjective information and superficial judgment calls. He would like to do all counties in future years. By the end of July bathymetric raw data will be available on Shakett Creek and by the end of August a draft map should be prepared.
3. New Pass - Sarasota County - Chief Warrant Officer Don Vining, U.S. Coast Guard, was asked to respond to a suggestion for temporarily marking New Pass until it is dredged by the Corps probably in the spring of 1997. Officer Vining told of numerous times he shifted navigation aids in New Pass to the south to mark the shoaling. He was supposed to mark the project channel, but it was way out of line. Finally, the pass became too dangerous. Officially, the channel is not closed, but the Coast Guard has discontinued all aids. If he marked New Pass, it would lower the probability of the Corps dredging the pass and would not contribute much to boater safety. Also, it is very expensive to locate, remove, and move aids to navigation. Commissioner O'Neil thinks we should send a letter to the Corps, with copies to our congressional delegation, recommending that they dredge a common sense channel, one that reflects the natural southerly drift. Officer Vining would recommend a dog leg for New Pass. The Coast Guard has also attempted to mark Big Pass. On another subject, Mr. Listowski read a letter into the record from the owner of a tugboat that was having difficulty getting into Payne Terminal (10<sup>th</sup> St. boat ramp in Sarasota). Officer Vining would appreciate the names of persons who might respond to a WAMS survey of navigation conditions and problems along the western coast of Florida. Commissioner Judah asked about the time frame of Matanzas Pass/Estero Bay. Officer Vining thought that was scheduled for next year. Commissioner Judah volunteered some staff support from Lee County if that would move up the schedule. Chairman McClash suggested WCIND could provide some funding for emergency lights or aids to navigation, but the officer said the problem really is continuing funding for maintenance. He was thanked for his presentation, with the understanding that he will address the Board at future meetings when appropriate.
4. Venice Marine Park - Representatives from the Tampa office of the COE met with Mr. Listowski and our project consultant last week and put us back on the right track with this project. The design will have to be somewhat modified, and once submitted, final approval expected within 30 days.

**NEW BUSINESS**

1. Charlotte County Workshop - The workshop this week produced a resolution and project priority list which completes the budget process. Commissioner Dudley thanked the executive director for making the presentation. Commissioner Judah commended Mr. Listowski for taking some tough questions and for handling the presentation very smoothly. Commissioner McClash agreed with this assessment and suggested following up with a letter to Charlotte county thanking them for staying within the District.
2. Charlotte County Funding Requests - Staff has a request to transfer \$70,000 from C-35 to C-40 (Shell Creek Development). C-35 has been delayed again, and C-40, which is going out for bid, has a projected shortage of revenue. Commissioner Judah moved and Commissioner Dudley seconded to approve this request. Motion approved unanimously. Also, the county is requesting that funds from C-37 (\$5,000) and C-38 (\$6,000) be diverted to Charlotte county's CIP account. Staff recommends approval contingent upon receiving a description of the navigation improvements to be implemented. Commissioner Dudley moved and Commissioner Judah seconded to approve this request. Motion approved unanimously.
3. Sarasota County Project List Revision - Sarasota County has amended its project list for the next fiscal year to include a generic project titled "Countywide Navigation Improvements." This enables them to be flexible.
4. Adoption of a Comprehensive Plan for WCIND Management Operations - Commissioner Judah moved and Commissioner Dudley seconded to approve the adoption of the Comprehensive Plan for WCIND Management Operations as modified in the workshop preceding the Board Meeting. Motion approved unanimously.
5. Draft Waterway Guide Map - Commissioner McClash wants each commissioner to have a copy of the rough draft and really look through it for details that pertain to their own county. In some cases islands and bridges are labeled incorrectly. Hopefully, all the changes can be made by the next Board Meeting so we can print the guide in September.
6. Greer Island Report - We have received a letter from the Town of Longboat Key which summarizes the funding request for Greer Island as \$115,000 for FY96/97 with funding as follows: \$45,000 from the CIP and \$70,000 from ad valorem taxes through the Waterway Development Program. Staff recommends approval of this project but wants the Board to recognize that with the approval of the Waterway Management Comprehensive Plan, it is likely that this could be the last funding for this particular project. It might not come within the context of a maintenance strategy for the future. Commissioner O'Neil moved and Commissioner Dudley seconded to approve this request. Motion approved unanimously.
7. Harbor Lights Lease Report - Counsel Perrey explained that there is a right of way for the waterway. In most cases it is 300 feet wide, but sometimes that right of way falls within the water, and sometimes it falls across land. What happened in this mobile home part is that the right of way falls across a small sliver of land within the park. Nine mobile homes encroach within the right of way to varying degrees, sometimes a dock sitting on the water, sometimes the yard between the mobile home and the dock, and in some cases, it includes a portion of the home as it sits on the lot. The homes have been there for years. About ten years ago we had an appraisal done to determine fair market value of this land and entered into a license

NEW BUSINESS #7 Continued

agreement with these nine owners which gave them permission to use our right of way for an annual fee of \$200. Those agreements will expire at the end of December. We would consider renewing the arrangement, but now some of the owners are organized into a cooperative arrangement. We have these problems all up and down the waterway, which we usually do not know about until a survey is done. A new appraisal would reflect the current market value, which is our usual policy, and would surely result in a higher market value and thus a higher license fee. We should be consistent in our license agreements. Commissioner Judah moved and Commissioner Dudley seconded to have an updated appraisal done and have the appraisal fees structured into the license agreement. Motion approved unanimously.

8. Nokomis Seawall Emergency-Sarasota County - Mr. Listowski explained the immediate need to repair the damaged seawall. Sarasota County received a bid of \$84,144 and is requesting emergency reimbursement; staff recommends reimbursement. WCIND has offered to intercede with the ACOE on behalf of Sarasota County, whose risk management department is handling the situation. The funds will be withdrawn from the emergency fund and will be repaid. Commissioner Judah moved and Commissioner O'Neil seconded to approve the emergency repair of the Nokomis Seawall. Motion approved unanimously.

NOTE : At this point Commissioner O'Neil proposed a \$10,000 project, similar to the Shakett Creek study, to be conducted in the area of Phillippi Creek; specifically from ICW Marker # 72 east up the creek to Pirates Pass. Mr. Listowski informed the Board that this project will be included in the budget proposed for 1996/1997 under the project described as Countywide Navigation Improvements for Sarasota County. In light of this new information the Chairman failed to recognize the motion.

9. Approval of Tentative 1996/97 District Budget - Staff recommends that the Board approve the rollback millage rate of .0189. Taxes and revenue collected would result in \$1,626,300 of available funding; total expenditures would be \$1,626,300. The Waterway Development Program funding would be \$1,173,966. Maintenance would increase to \$167,055; administration would decrease to \$194,279. Investment interest to date is \$240,000 with three months still left in the fiscal year. The following ad valorem taxes would be collected from the counties:

Charlotte County - \$119,685  
Manatee County - \$183,706  
Sarasota County - \$344,083  
Lee County - \$403,441

There was a question by Commissioner O'Neil regarding the District spoil property inventory and the potential for disposal of parcels that are unnecessary to ACOE operations and maintenance. WCIND spoil parcels need maintenance in the form of exotic removal to maintain drainage and safety integrity. Staff will check with SWFWMD for any assistance programs they might offer. Staff will provide a presentation of spoil land inventory and value to the Board at the beginning of the year. The Venice berm has been greatly improved in the past year, via cooperative projects between the District and the ACOE. Corps approval must be obtained to dispose of spoil areas.

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Commissioner O'Neil questioned an increase in accounting services.

Due to the increase in funds collected and services offered, staff recommends special audits be conducted to insure financial stability, and these activities will require an increased budget for professional services.

Member County projects have resulted in the following requests:

- Charlotte County - \$124,930
- Manatee County - \$176,796
- Sarasota County - \$382,500
- Lee County - \$200,000\*

\* We have not yet received reimbursement from Lee County through the Corps. Mr. Listowski recommends approving a Lee County budget based on project requests and an alternate based on the pay back situation. Commissioner Judah and Lee County would like to amend that to take full advantage of the new policy which allows pay back over a three year period. That would be \$200,000 (less any redirected funds) per year for the next three years. Commissioner O'Neil moved and Commissioner Judah seconded to approve the tentative 1996/97 District Budget with a roll back millage rate of .0189, including the member county projects as presented and Lee County's special three year pay back rate as discussed. Motion approved unanimously.

**NEXT MEETING TIME AND DATE: September 6, 1996 at 4:00 p.m. followed by the First Public Hearing at 5:01 p.m. Final Budget Hearing on September 13, 1996 at 5:01 p.m. - Venice, Florida**

Adjournment - 12:10 p.m.