

**WEST COAST INLAND NAVIGATION DISTRICT
APPROVED MINUTES OF SEPTEMBER 12, 2014 BOARD MEETING
VENICE CITY HALL – COMMUNITY HALL
VENICE, FLORIDA**

Commissioners Present

Charles Hines, Chair
Brian Hamman, Alternate
John Chappie, Secretary
Stephen R. Deutsch, Treasurer

Staff Present

Charles W. Listowski

Others in Attendance

Philip E. Perrey, Legal Counsel

Chair, Charles Hines, opened the meeting at 4:00 PM in Council Chambers.

PUBLIC COMMENT: Chester Young with Hans Wilson & Associates, stated that Gulf Harbour Marina is looking for a partnership with WCIND, requesting that WCIND become a co-permittee on a permit application to dredge the access channel to and from the marina. The partnership may decrease the fees associated with the dredging of the access channel.

DEPARTMENT OF ENVIRONMENTAL PROTECTION COMMENTS – Mr. Listowski, noted that WCIND has applied for funding from the Beach & Erosion Control Program for four (4) projects - Venice Inlet, Longboat Pass, Regional Sand Source Management, and Big Carlos Pass. The applications were deemed complete, and are under review.

Mr. Listowski noted that the General Permit for Charlotte County is under review. Counsel Perrey noted that we are working with DEP staff on revisions to the draft rule. The revised rule and incorporated documents will be posted on DEP's website. The next step is for DEP staff to publish a Notice of Proposed Rule.

U. S. ARMY CORPS OF ENGINEERS COMMENTS - Mr. Listowski reported on behalf of Mr. Milan Mora that there will be a Gulf Intracoastal Waterway Inspection Tour scheduled for October, 2014, and Mr. Listowski will forward information. Mr. Listowski noted that Mr. Mora was to address the Board, but was not in attendance yet.

Mr. Listowski noted that there are several derelict vessels in the Okeechobee Waterway in Glades and Hendry counties.

Commissioner Hamman motioned to approve funding for the removal of the derelict vessels. Commissioner Deutsch cautioned the Board on liability concerns pertinent to abandoned vessels. Commissioner Hamman withdrew the motion.

Mr. Mora arrived at the meeting and was asked to address the Board. He provided insight on the USACE position on the Okeechobee Waterway derelict vessel issue.

Further discussion ensued, and a consensus could not be reached.

Mr. Boutelle, Lee County gave clarification at the request of Commissioner Hamman.

Mr. Mora stated that the Clewiston ACOE is working on an estimate with Glades County. Glades County will make a written request to WCIND for assistance. Mr. Mora has inquired about federal funds.

Commissioner Deutsch motioned that we are willing to entertain removal of the derelict vessels and requested more information.

Commissioner Hamman seconded the motion

Motion passed unanimously.

CONSENT AGENDA:

Commissioner Deutsch motioned to approve the Consent Agenda excluding item 6.

Commissioner Hamman seconded the motion.

Motion approved unanimously.

6.) Gulf Harbour Marina – Mr. Listowski noted the District was a co-permittee with a marina operation on Boca Grande in 2007. There was a caveat with that partnership, that there be a 5 (five) year agreement to keep the marina open to the public. Mr. Listowski suggested that something like this be included in any agreement with the Gulf Harbour Marina.

Currently, the channel is operational, but the marina owner fears loss of its ability to maintain the access channel since its submerged land lease expired recently. The marina owner would like to form a partnership with WCIND to lower its cost of dredging the access channel to and from the marina.

Commissioner Deutsch motioned to defer Gulf Harbour Marina to the November 14, 2014 meeting.

Commissioner Chappie seconded.

Motion approved unanimously.

ADMINISTRATIVE AGENDA:

Project Report

Longboat Pass – The District has applied for State cost-sharing, that could defray some of the District expenditures associated with the recent project to stabilize the beach using material from permitted flood shoal borrow areas.

Snake Island - The District staff will be meeting with Sarasota County staff to determine if there is a way to share management responsibilities and decrease our liability for the activities that are happening on the island.

Cherokee Docks – Public docks and fishing pier are being built.

Bradenton Beach – The district is pursuing a dredging permit based on restoration of historical conditions.

Mr. Listowski encouraged member counties to use the District for assistance with projects, and encouraged county staff to become familiar with the statutory powers of WCIND to assist member counties.

Tentative Budget

Mr. Listowski briefed the Board about the tentative millage rate and the funding distribution, comparing the rolled back rate of .0374 and the proposed rate of .0394.

Counsel Perrey explained that staff has presented a summary of two millage rates, the rolled back rate at .0374 and the proposed rate of .0394. At the first Public Hearing the Board must propose one tentative millage rate, and staff has prepared a preliminary budget based on the higher rate (.0394). Commissioner Deutsch recommended the higher rate and by informal consensus, the entire Board agreed. Commissioner Hamman agreed with the understanding that the higher rate is the current rate and in consideration of increased property values.

COMMISSIONER ITEMS: NONE

WCIND COUNSEL'S REPORT:

Legacy Trail - Counsel Perrey updated the status of a lawsuit that has been pending in Federal court.

- There may be compensation to the District if this case is ultimately resolved in WCIND's favor
- The attorney is working on a contingency fee basis.
- The case has been referred to the Florida Supreme Court.

Counsel Perrey recommended that the Board authorize a license agreement between the City of Venice and WCIND for use of WCIND right-of-way near the Venice airport during special events.

Commissioner Deutsch motioned to authorize the Chair to sign the agreement.

Commissioner Chappie seconded the motion.

Motion approved unanimously.

EXECUTIVE DIRECTOR'S REPORT - None

Meeting adjourned at 5:00 PM

NEXT MEETING DATE AND TIME: Final Budget Hearing September 19, 2014 at 5:01 PM
and the next regular meeting November 14, 2014 at 10:30 AM.