

WEST COAST INLAND NAVIGATION DISTRICT

BOARD MEETING, SEPTEMBER 13, 1985

4:00 P.M.

VENICE, FLORIDA

A G E N D A

I. ADMINISTRATION:

- A. Approval of Minutes of July 12th and August 9, 1985 Board Meeting
- B. Approval of July Treasurer's Report
- C. Approval of August Bills to be Paid

II. INTRODUCTION OF GUESTS:

III. OPEN TO PUBLIC:

Public Hearing on Budget and Millage Rates at 5:01 P.M.

IV. DEPARTMENT OF NATURAL RESOURCES COMMENTS:

V. ACTIVITIES REPORT:

SARASOTA COUNTY

- A. Open Bids on Manasota Key Lot
- B. Report on 40 Acre Spoil Site for Recreation Park

CHARLOTTE COUNTY

- A. Emergency Replacement of Stump Pass Channel Marker

LEE COUNTY

- A. Request for Funds Allocated to Lee County 1984/85 Budget

MANATEE COUNTY

- A. Request for Funds Allocated to Manatee County 1984/85 Budget

VI. EXECUTIVE DIRECTORS REPORT:

Review Executive Director Duties and Term of Office
Review Agreement and Guidelines Set 1984/85 by DNR
Request for Annual Audit
Discussion of COE Planned Maintenance Dredge of IWW

VII. NEXT MEETING DATE:

To Be Discussed within the Guidelines of Public Hearing/Trim Bill

WEST COAST INLAND NAVIGATION DISTRICT

BOARD MEETING / PUBLIC HEARING

SEPTEMBER 13, 1985

NAME:

REPRESENTING:

- | NAME: | REPRESENTING: |
|------------------------------------|-----------------------|
| 1. <u>Jay O'Neil</u> | <u>SdA</u> |
| 2. <u>Elton Douglas</u> | <u>DNR</u> |
| 3. <u>Chris Kaffin</u> | <u>Consolidated</u> |
| 4. <u>Gregory Cron</u> | <u>Herald-Tribune</u> |
| 5. <u>RICHARD CONTI</u> | |
| 6. <u>M & Mrs R. D. Duvall</u> | <u>silence</u> |
| 7. _____ | _____ |
| 8. _____ | _____ |
| 9. _____ | _____ |
| 10. _____ | _____ |

WCIND convened a Board meeting on Friday, September 13, 1985 at WEST COAST INLAND NAVIGATION DISTRICT headquarters, 200 East Miami Avenue, Venice, Florida, for the purpose of holding the first public hearing on the proposed millage rate and the tentative budget for FY85/86.

Commissioners Present:	Joseph A. Tringali, Chairman	Charlotte County
	Westwood H. Fletcher, Vice Chariman	Manatee County
	Porter J. Goss, Secretary	Lee County
	Jerry L. Hente, Treasurer	Sarasota County

Commissioners Absent: None

Staff Present: James M. Armstrong, Executive Director
Philip E. Perrey, Counsel
Connie S. Lindsay, Administrative Assistant

Guest Present: Dr. Elton Gissendanner, Executive Director, DNR
Jay Odell, Venice, Florida
Mr. & Mrs. Robert Menke, St. Petersburg, Florida
Richard Conti, Venice, Florida
Chris Kauffmann, Venice Gondolier
Gregory Enns, Sarasota Herald Tribune

ADMINISTRATION:

The meeting convened at 4:00 p.m. with Chairman Joseph Tringali presiding and welcoming Dr. Gissendanner's attendance today. The minutes of July 12, 1985 and August 9, 1985 Board meeting, Treasurer's Report of July 31, 1985 and Bills to be Paid for August and September, 1985 were presented, moved for approval, seconded and carried.

INTRODUCTION OF GUESTS:

Director Armstrong introduced Dr. Elton Gissendanner of DNR, Jay Odell of Venice, Mr. & Mrs. Robert Menke of St. Petersburg, Richard Conti of Venice, Chris Kauffmann, Press; Venice Gondolier and Gregory Enns, Press; Sarasota Herald-Tribune.

OPEN TO PUBLIC:

There were no comments of the general public present.

DEPARTMENT OF NATURAL RESOURCES COMMENTS:

Counsel Perrey bringing the Board up to date on the budget status stated he talked with DNR Attorney, Kevin Crowley, in regards to getting the budget approved and the arrangement DNR wanted to propose was at the Cabinet Aids meeting there was a substitute proposal put in by DNR to approve WCIND's budget exactly as submitted with a condition, exactly the same condition set by DNR on the FY84/85 budget, stating all contracts, leases and other instruments which obligate the District to spend funds are subject to the approval of Dr. Elton Gissendanner, Executive Director, DNR. In the FY84/85 budget WCIND's Board felt they could not operate with that condition and negotiated a delegation letter endorsed by Dr. Gissendanner that anything under \$5,000.00 can be expended by the Board without prior approval of Dr. Gissendanner, if over \$5,000.00 we are to write DNR requesting their approval and if no word has been received in twenty days to then proceed as planned. Also a provision to be able to rehire the staff once a year without prior approval.

Counsel Perrey stated that Dr. Gissendanner presented a letter stating he would submit WCIND's budget with the condition set on the FY84/85 budget with the delegation of authority to apply to the FY85/86 budget. Counsel referring to the Cabinet Aids meeting, they are requesting a letter from WCIND stating that WCIND had no objection to the condition imposed by DNR. Counsel Perrey drafted a letter, addressed to Dr. Gissendanner, to be signed by Commissioner Tringali, stating the Board of Commissioners of WCIND had no objection to the conditions set by DNR.

Mr. Perrey stated he felt with the exchange of letters the situation would be resolved and the problem with WCIND's budget would be resolved and approved.

Commissioner Tringali asked for the Boards approval on signing the letter of no objection to Dr. Gissendanner. Commissioner Fletcher motioned to have Chairman Tringali sign the letter to DNR stating no objection to the conditions set by DNR, seconded by Commissioner Hente, motion carried.

Counsel stated there now will be no need for himself and our Director to go to Tallahassee as previously planned.

Commissioner Tringali asked Dr. Gissendanner for his comments. Dr. Gissendanner thanked Mr. Perrey and Director Armstrong for working with his staff to resolve any problems and to reach an agreement on WCIND's budget.

ACTIVITIES REPORT:

Sarasota County

(1) Open Bids on Manasota Key Lot

Director Armstrong stated we would open bids after the public hearing due to the advertisement and particulars stating the time of 5:01 p.m.

(2) Report on the 40 Acre Spoil Site for the Recreation Park

Counsel stated the hold-up had been COE did not agree to the first letter sent by SCL with regard to the pipe line crossing under the SCL railroad track. Consequently the Director and Counsel went to Tampa and hand carried a ghost written letter from the Superintendent of SCL that basically did not change what the first letter said but it was enough to "tip the scales" and now the COE is satisfied with the second letter from SCL.

Counsel read to the Board the letter dated September 9, 1985 from Mr. Jones of the COE in Jacksonville stating the second letter from SCL is acceptable to the COE and have authorized Mr. Perrey to finalize the exchange. Counsel stated with a few details to finalize they would be finished with COE and then would work on a game plan as how to give the land to Sarasota County under our guidelines with DNR's approval.

Commissioner Hente asked "what better time than the present to get DNR's approval, since Dr. Gissendanner was present at todays meeting."

Counsel Perrey stated to Dr. Gissendanner that for ten years WCIND has been trying to get surplus lands back from COE, which they say they do not need, being 78 acre park in Sarasota County to finish the exchange we had agreed in principal to supply a 38 acre site for the use of Sarasota County to be utilized as a County park and it falls into the DNR guidelines and needs Dr. Gissendanner's approval.

Dr. Gissendanner questioned if we were giving this land to Sarasota County in fee, lease or what? Counsel stated none of this has been worked out.

Dr. Gissendanner stated if you give it to Sarasota County on a long term management agreement there would be "no problem," if you give it in fee, at some time WCIND might have to buy it and that would be "a problem." That WCIND should have a reversion clause so it does not end up in individual or private hands. Further Dr. Gissendanner stated

would prefer a management agreement, i.e. ninety-nine year.

Counsel questioned Dr. Gissendanner that aside from working out the mechanical of it do you have any problems with this exchange?

Dr. Gissendanner stated "no" that if it is surplus to WCIND's needs it should next go to the county with a preferred management agreement and it is a good use of the property.

(3) Mote Marine

Director Armstrong stated he received a letter from Mote Marine's, Dr. Pierce, requesting that we again consider their request for \$25,000.00 to fund the Red tide study. Director Armstrong suggested a decision be made.

Chairman Tringali stated we did participate in FY84/85 with a generous contribution and he does not feel we can continue with this type of funding on a regular basis and that WCIND has done their share of funding of Mote Marine Laboratory up to this point. Commissioner Fletcher stated we allocated funds in the FY84/85 budget with the understanding of a finished product.

Commissioner Goss questioned whether or not WCIND had received an accounting on the initial project.

Director Armstrong informed that Mote Marine had abandoned the project as it was being pursued by Stage one, Stage two and Stage three. They needed our funding for the "seed" money to get further funding for Stage two. The Director stated they have completely changed their ideas that in 83/84 they were researching as how to combat red tide. Since that time they have changed their approach to reduce the toxin once it gets here and find out what harmful effects the toxins give off. Director Armstrong advised that Dr. Pierce is working with one of DNR's Doctors and they both agree on the approach Mote Marine is taking now.

Commissioner Goss stated that before we commit anymore of the tax payers monies we need an accounting of their approach to the red tide study and secondly something more than only working on the red tide study program. Commissioner Goss feels it is a terrible problem and would like to see a favorable response as well as everyone else but the proposal does not point out how any of the funds would be used. Also, there has to be some accountability, something to expect and a bench mark that WCIND is going to achieve with any monies WCIND allocates.

Commissioner Hente stated when doing research work that it is difficult to do what you might expect for your money.

Commissioner Goss made a motion to express to Mote Marine in response to their letter a negative answer at this time with reference to concerns to provide specific cost and objectives, seconded by Commissioner Fletcher, motion carried.

Commissioner Hente stated WCIND is in no way saying "no not ever" to Mote Marine.

Charlotte County

(1) Emergency Replacement of the Stump Pass Channel Marker

Director Armstrong referred to the concrete channel marker at the mouth, of what use to be, Stump Pass, about 600 yards from the Pass. The hurricane Elena took the light and pole and it is no longer there. The marker is permitted by the U.S. Coast Guard and needs to be replaced. Further the Director informed the Board we spent approximately \$2,500.00 to install the marker and recommended not replacing the marker with the same type of light. Director Armstrong stated WCIND is working with Charlotte County Marine Advisory Group to get it replaced.

Commissioner Hente motioned to have the Executive Director arrange the emergency replacement of the Stump Pass channel marker, without bids due to the emergency and to pay the necessary costs, seconded by Commissioner Fletcher, motion carried.

Lee County

- (1) Request for funds allocated to Lee County in the 84/85 Budget for Navigation Aids

Director Armstrong stated WCIND received a letter from the Lee County Administrator requesting the funds we allocated in FY84/85 budget to Lee County for various projects. The total funding to Lee County was \$121,000.00 of which we have allocated \$8,000.00 in which Lee County spent for Jugg Creek channel markers. The letter WCIND received from Mr. Maxwell of Lee County has specifically pointed out several items Lee County is working on being:

- (A) Estero Bay Channel Marking, survey existing markers replaced
\$18,000.00 - not to exceed
- (B) Roosevelt Channel No Wake Markers
\$ 5,000.00 - not to exceed
- (C) Cape Coral South Rim Channel Markers
\$85,000.00 - not to exceed
- (D) Daughtrey's Creek Entrance Channel Markers
\$ 5,000.00 - not to exceed

Mr. Maxwell's letter included Punta Rassa boat ramp improvements which Commissioner Goss stated should be deleted from WCIND's allocation and added to boating and recreation funding and to approve the other, above mentioned, projects in the amount of \$113,000.00. Commissioner Goss motioned that the Lee County projects as referred to in the FY84/85 budget be approved not to exceed \$113,000.00 in total and specifically not to exceed individually as listed as A, B, C, and D.

Commissioner Fletcher seconded the motion for discussion that in the event all of the funds provided by WCIND are not expended for these projects, then Lee County agrees either to return any excess funds to WCIND or to file a written request with the WCIND Board to redirect excess funds to other projects within the legislative authority of WCIND.

- (2) Request on Ding Darling

Commissioner Goss stated that Lee County had a request to allow the use of a spoil island, L-1, for a tern nesting site.

Director Armstrong stated the agreement says that all encumbrance now enjoyed by others will continue to be.

Commissioner Goss stated the Department of the Interior would like to include this spoil island, L-1, under a management agreement, Malacha National Wildlife Refuge, part of the National Wildlife System, for management purposes. The practical impact of that would be the island would be closed to the public during the nesting season which is the first of April thru the thirty-first of August but all existing encumbrance terms and conditions held by others will remain in effect. Commissioner Goss motioned to direct the Executive Director to proceed on these understandings and if acceptable to them take the necessary steps and execute. Director Armstrong stated this property is conveyed to the COE and we need to get their approval. Seconded by Commissioner Fletcher, motion carried.

PUBLIC HEARING:

Commissioner Hente questioned if we had proof of publication of the public hearing. Counsel stated yes and read the publications to the Board. Counsel Perrey stated first order of business is to discuss the percentage of the millage increases over the roll-back rate necessary to fund the tentative budget and to discuss why the revenue needs have increased if they have.

Director Armstrong reported the millage rate is the same as FY84/85 budget or .004 mills and then read from the Certification of Taxable Values, roll-back rate is as follows:

<u>COUNTY</u>	<u>CERT. OF TAX. VALUE</u>	<u>ROLL-BACK RATE</u>	<u>PERCENTAGE</u>
Lee County	9,226,518,220	.0035	114%
Charlotte County	2,694,009,395	.0039	102%
Sarasota County	9,120,924,446	.0038	105%
Manatee County	5,229,698,642	.0036	111%

Commissioner Goss stated that does not mean a (i.e. 108%) increase in taxes in this District that the millage rate is staying the same. The justification of the 8% roll-back rate is the increase in the Stump Pass dredging project and the increase in Big Pass dredging project or the increase in major project expenditures.

Commissioner Tringali questioned if any member of the public would like to address the budget and millage rate? There were none and the Chairman closed the public hearing on WCIND's tentative budget and millage rate.

Commissioner Goss motioned to have the second and final public hearing on the tentatively proposed millage and budget on Monday, September 23, 1985 at 5:01 p.m. at WCIND headquarters, in Venice, Florida. Seconded by Commissioner Fletcher, motion carried. Commissioner Goss motioned the tentative millage rate at .004, seconded by Commissioner Fletcher, motion carried. Commissioner Goss motioned to adopt tentative budget, seconded by Commissioner Fletcher, motion carried.

Open Bids on Manasota Key Lot:

Director Armstrong suggested to the Board to open sealed bids at this time. Chairman Tringali questioned if there was anyone here at 5:00 to present a sealed bid and did not have the opportunity to do so. There were none. Counsel Perrey opened the one and only sealed bid received a bid of \$241,550.00. Director Armstrong stated the sealed bid was received from Mr. Menke of St. Petersburg. Counsel read to the Board the letter from Mr. Menke enclosed with the bid along with a check for \$12,100.00 slightly in excess of the 5% requirement. Commissioner Hente motioned to accept the bid proposal as submitted and authorize the Chairman to execute the contracts for selling the property, seconded by Commissioner Goss, motion carried.

MANATEE COUNTY

(1) Request for Funds Allocated to Manatee County in the 84/85 Budget

(A) Director Armstrong stated in the FY84/85 budget we were funding \$15,000.00 for recreational boating facilities on a local spoil island in which that was redirected to the funding of a groin to protect the public beaches and piers and that has been done.

(B) Funding of WCIND to Manatee County in an amount not to exceed \$75,000.00 to cover the cost of 50% of the price of a mudcat was redirected and changed, at a previous Board meeting, to fund \$35,000.00 of the cost of a Toyo Pump and use the remaining \$40,000.00 for the dredging and improvement of maintenance projects in public waters of Manatee County. In effect the request of \$75,000.00 allocated in the FY84/85 budget, which uses up the remainder of the Manatee County allocated funds. Commissioner Fletcher motioned to approve the allocated funds, of \$75,000.00, to

Manatee County, seconded by Commissioner Hente, motion carried. Commissioner Fletcher informed the Board that the \$15,000.00 allocated to Manatee County (FY84/85) that was redirected to the funding of a groin to protect the public beaches and piers was not entirely used. Commissioner Fletcher stated he would have a more detailed breakdown of the expenditures in the mail sometime the week of 9/27/85.

Commissioner Fletcher stated the sum of approximately \$2,700.00 remains with two options to either return the remaining \$2,700.00 to WCIND or to place the residue from the funding of the groin to protect public beaches and piers to the dredging and improvement of maintenance project in Manatee County. This would be subject to the appropriate request from Manatee County, seconded by Commissioner Goss, motion carried.

(2) Long Boat Key Request for Spoil

Director Armstrong stated he has received a request from the Town of Long Boat Key suggesting places for spoil to be placed when Long Boat Pass is dredged. Director Armstrong stated he would talk with Commissioner Fletcher further and reference maps indicating the suggestions of spoil disposition and with the Boards direction answer the letter. Director Armstrong stated it would be the COE's final decision. The Board indicated "no problems" with writing the Town of Long Boat Key.

EXECUTIVE DIRECTORS REPORT:

(1) Review Executive Director's Duties and Term of Office

Director Armstrong informed the Board there is a copy of the "duties and term of office of the Executive Director of WCIND" in each Commissioners folder. The Director further stated he does not expect the Board to act on this item today, just to look it over and possibly contribute suggestions to the items listed since this has not been reviewed since established in the year of 1967.

Director Armstrong said the specific reason for this review is they have not been rewritten since July of 1967 when WCIND was placed under supervision of DNR. The Director asked each Commissioner and Counsel to review and if they wanted to leave it as is that was ok that this was just to inform. Chairman Tringali suggested consideration and to report back at the next Board meeting of WCIND.

(2) Review Agreement and Guidelines Set FY84/85 by DNR

Director Armstrong stated one item DNR explicitly told WCIND's Executive Director was that any time WCIND expended any funds we must have a contract with the relative County. The Director suggested to the Board to get WCIND's Counsel with DNR's Counsel to clarify exactly what they want WCIND to do because it has never been clearly defined. Counsel suggested writing DNR and tell them how we operate and ask them to tell us if that is not acceptable.

(3) Request for Annual Audit

The Director requested the Boards permission for our annual audit. Commissioner Fletcher motioned to approve WCIND's annual audit with the same firm subject to bid requirements allowing their performing the annual audit. Counsel suggest using the same firm due to the fact they keep up on the Crystal Beach project.

(4) Discussion of COE Planned Maintenance Dredge of the IWW

Our Director stated COE is surveying and getting ready for maintenance dredging of the IWW. Also there is a very good possibility WCIND will be required to furnish diking costs and also a possibility as a local sponsor of the IWW to be required to pay for 35-50% of the cost of dredging which is called "user fee." Further, Director Armstrong stated WCIND should be involved with the COE.

Commissioner Goss said he has no problem with the user fee providing WCIND having the privilege and right to have some say in the project.

Director Armstrong feels with the dredging of Stump Pass and Big Pass projects going on WCIND needs to visit with the COE and get some facts spelled out.

Commissioner Fletcher motioned to have the Director stay in touch with the COE and set-up a convenient day and time to visit and authorized travel to Jacksonville for the Director and one or more of the WCIND Board members, seconded by Commissioner Hente, motion carried.

NEXT MEETING DATE:

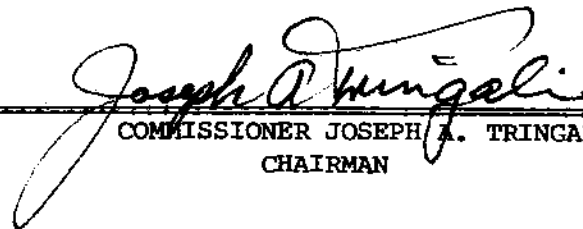
As motioned by Commissioner Goss the next meeting date and final public hearing to set WCIND's millage rate and tentative budget will be on Monday, September 23, 1985 at 5:01 p.m. at WCIND headquarters in Venice, Florida.

ADJOURNMENT:

The Board meeting adjourned at 6:30 p.m.



COMMISSIONER PORTER J. GOSS,
SECRETARY



COMMISSIONER JOSEPH A. TRINGALI
CHAIRMAN