

**WEST COAST INLAND NAVIGATION DISTRICT
APPROVED MINUTES OF AUGUST 26, 2016 BOARD MEETING
CHARLOTTE COUNTY BOARD CHAMBERS
PORT CHARLOTTE, FLORIDA**

Commissioners Present

Stephen R. Deutsch, Chair
John Chappie, Vice Chair
Charles Hines, Treasurer
Larry Kiker, Secretary

Staff Present

Justin D. McBride
Philip E. Perrey, Legal

Counsel

Chair, Stephen R. Deutsch opened the meeting at 10:00 A.M., with the Pledge of Allegiance.

AGENDA CHANGES – None

PUBLIC COMMENT –

Kelly Shoemaker, Assistant Deputy County Administrator welcomed WCIND and thanked WCIND for all their assistance.

Marianne Taylor, Charlotte County Public Safety thanked WCIND for their support and assistance.

Sheriff William Prummell, noted that the sheriff's office is working on a 5-year strategic plan, and thanked WCIND for their support.

Mr. Leo Amos made the following comments:

- CNIF, and projects that he claims are not directly related to the waterways.
- Lee County was late voting on their resolution (requesting grant funding) and, should not have CNIF funds for the upcoming fiscal year.
- WCIND's undesignated reserves are too high, and that needs to be changed.
- Concerning Interviews for the WCIND legal counsel, there needs to be more transparency.
- Army Corps of Engineers IWW Waterway Inspection trip in October, is the public invited to go on the trip?

Commissioner Deutsch responded to Mr. Amos concerns:

- Undesignated reserves - in the event of a major emergency we will have the funds available to deal with it.
- Transparency – It is the intent of this Board and our staff to be as transparent as possible.
- WCIND's legal counsel is accountable to this Board, but on a daily basis the legal counsel works with WCIND staff.

Commissioner Kiker asked if Lee County staff would address Mr. Amos' concern regarding the resolution. Mr. Mike Campbell (Lee County Natural Resources), confirmed that Lee County applications were submitted to WCIND prior to the May 31 deadline with notice that the County resolution was forthcoming, and, the resolution was passed June 21, 2016.

U. S. ARMY CORPS OF ENGINEERS COMMENTS – Mr. McBride supplied the following information from the ACOE:

- Corps staff has created a tracking sheet for real estate issues in all four counties.
- Corps staff is setting up the IWW Waterway Inspection trip in October.

ACOE has completed a full survey of the GIWW, and Corps staff has identified some areas that require dredging in Manatee County.

CHARLOTTE COUNTY PRESENTATION

The video presented at the board meeting is now available on the Charlotte County government website: http://charlotte.granicus.com/ViewPublisher.php?view_id=15

CONSENT AGENDA –

Commissioner Hines motioned to approve the Consent Agenda.
Commissioner Kiker seconded the motion.
Motion approved unanimously.

ADMINISTRATIVE AGENDA –

Mr. McBride reported on the FY16/17 preliminary budget. Mr. McBride recommends current millage rate of .0394.

Commissioner Kiker motioned to formulate the budget at the proposed millage rate .0394.
Commissioner Chappie seconded the motion
Motion approved unanimously.

Mr. Michael Poff (Coastal Engineering Consultants), noted that on Manasota Key, at the north end of Charlotte County, there is an extreme erosion problem about a mile long, in front of a rock revetment. That revetment is also causing an erosion shadow, moving both north and south. The underlying limestone in a trough several hundred feet off the beach is completely exposed. It is now hard bottom protected by all the resource agencies. In order to do a beach restoration project, Charlotte County will have to mitigate for that reef.

Counsel Perrey asked if there is any navigation component for this project. Mr. Poff noted that there is no direct relationship to navigation.

OLD BUSINESS –

Counsel Perrey confirmed that WCIND's Board selects the replacement legal counsel. Counsel Perrey noted that WCIND's request for applications set the bar very high. There were 8 applicants. One applicant did not meet the minimum requirements, leaving 7 qualified applicants. Mr. McBride, after vetting and interviews, recommends Mr. Schneck.

Commissioner Hines asked whether Mr. McBride has any personal or working relationship with Mr. Schneck. Mr. McBride noted that several years ago he had a working relationship with Mr. Schneck when both of them worked for Lee County. Commissioner Hines noted that WCIND's contract with its legal counsel can be terminated at any time.

Commissioner Chappie motioned to enter into a contract with Jed Schneck as legal counsel.

Commissioner Hines seconded the motion

Motion passed unanimously.

Commissioner Deutsch offered some comments about the draft contract with the new legal counsel.

- Add caps on legal fees and expenses – fees not to exceed \$200.00/hour.
- Restrict travel outside of WCIND member counties.
- Remove Article 13 Section 1 in draft contract
- Travel outside of WCIND member counties to be approved by WCIND Board rather than WCIND staff.
- Remove Page 9, Section 1 from draft contract

After discussion, Commissioner Hines recommended, and there was an informal consensus of the Board, that some revisions be made to the contract, and the Board will review the revised draft contract at its next meeting.

COMMISSIONERS' ITEMS – Commissioner Hines noted that the Sarasota County Board voted to have request the ACOE do an environmental impact study on a proposed beach renourishment project that would include the dredging in New Pass in Sarasota County.

Commissioner Kiker thanked Mr. McBride, on getting the Big Carlos Pass dredging permit. Commissioner Kiker announced that he will not be at the final budget hearing on the September 16, 2016. He said he would either call in and participate by phone, or send his alternate to the meeting.

WCIND COUNSEL'S REPORT –

Counsel Perrey informed the Board about the FDOT road widening project, involving 2 WCIND parcels of land – Parcels 124 and 803 (FDOT's parcel numbers).

On Parcel 124, FDOT requests a subordination agreement from WCIND, subordinating WCIND's permanent pipeline easement crossing under the Venice Bypass roadway to FDOT's use of the parcel for roadway purposes. FDOT has issued a confirming letter to WCIND acknowledging WCIND's permanent easement, and its continuing right to access/use Parcel 124 for waterway purposes. On Parcel 803, FDOT has offered to pay WCIND the sum of \$8,900 to purchase a permanent easement for the installation of an underground overflow drainage pipe from a water retention site into the IWW.

After discussion, Commissioner Kiker motioned to approve FDOT's request/offer on Parcels 124 and 803.

Commissioner Hines seconded the motion.

Motion passed Commissioner Kiker, Chappie, and Hines voted aye, Commissioner Deutsch voted no.

EXECUTIVE DIRECTOR'S REPORT –

Mr. McBride offered the following comments:

- Manatee County
 - Coquina Dredging Project – he attended 2 meetings to discuss channel alignment and restoration/mitigation options. Permits are moving forward.
 - WCIND staff is assisting with Palma Sola project.
 - WCIND staff continues to work with Island Transportation Planning Organization (ITPO).

- Charlotte County
 - Trestle Project – WCIND staff is crafting bid specifications for the work.
 - Charlotte Harbor Fisheries Forum – District staff continues to provide technical assistance as requested by Sea Grant, University of Florida.
 - WCIND staff is working with Charlotte County staff on access for contractor at 371 N. Gulf Blvd., as part of the Stump Pass Project, per citizen complaint.

- Lee County
 - Big Carlos Pass – draft permit received from USACOE – comments sent to USACOE for finalization.
 - Bid documents in process to bid out construction work.
 - Working with Lee County staff to explore possibility of bidding New Pass and Big Carlos together to save cost of mobilization.

- Sarasota County
 - Working with City of Venice on obtaining consent to use of easement for library parking.
 - Working with City of Venice/USACOE on Anita's Sandcastle resolution (South Jetty).
 - Working multiple additional real-estate issues with USACOE.
 - Assisting County and USCG with channel marker project.
 - Met with Parks/Recreation about seawall and fishing pier issues at Cherokee Park in Englewood.

- Regional/District Projects
 - WCIND office building undergoing repairs – roof and walls are leaking.
 - Equipment upgrades now back-up all electronic files.
 - Attended public meetings on FFWCC Critical Wildlife Area proposals (multi-county).
 - At the request of FFWCC Endangered Species Deputy Director, providing comments and additional resources to FFWCC.
 - Scope of work approved for DMMA and Commercial landing study, work beginning at present time.
 - Working with DEP to educate tow boat operators about seagrass impacts – help develop BMP's.
 - Mr. McBride conducted interviews for replacement legal counsel.
 - Working on budget for FY16/17 per board direction.
 - Qualified firms through RFP process to perform derelict and abandoned vessel in conjunction with District Derelict Vessel Initiative.
 - Working with USACOE to finalize October 25, 2016 through October 27, 2016 IWW Waterway Inspection Boat Tour agenda.

NEXT MEETING DATE AND TIME: September 9, 2016 at 4:00 P.M.

Meeting adjourned 11:50 A.M.

Stephen R. Deutsch, Chair

John Chappie, Secretary