

WEST COAST INLAND NAVIGATION DISTRICT
BOARD MEETING
MINUTES OF SEPTEMBER 11, 1998
SOUTH COUNTY ADMINISTRATION CENTER, VENICE, FL

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COMMISSIONERS PRESENT:

Joe McClash, Chairman
Adam Cummings, Vice-Chairman
Jack O'Neil, Secretary
Ray Judah, Treasurer

STAFF PRESENT:

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

Chairman McClash called the meeting to order at 4:00 p.m. Mr. Listowski called the roll. There were no deletions or additions to the Agenda.

PUBLIC COMMENT - none

DEPARTMENT OF ENVIRONMENTAL PROTECTION - Mr. Listowski reported that he has received notification of two meetings in Tallahassee with Deputy Secretary, Mr. Kirby Green, on October 12th regarding regional initiatives and on October 13th with Mr. Bob Brantley, a senior staff person who will be responsible for putting together a Memorandum of Agreement including WCIND and FIND so that we can have a better working relationship with the state.

U. S. ARMY CORPS OF ENGINEERS - Mr. Listowski reported on his recent conversation with Mr. Don Fore who was unable to attend our meeting. The \$375,000 reimbursement for Lee County was approved by the Corps' auditor, so within two weeks Lee County should receive a check. The permit for the regional marine enforcement dock in Venice should be received shortly after October 24th. The variance process that the Corps is going through on setbacks for structures adjacent to the ICW has been very exhaustive, but we will get the permit. The October 19-20, 1998 waterway inspection trip with the colonel and his senior staff has been confirmed and will probably start at Tarpon Springs and stop in Venice on the first day. Two Corps' vans will be available to shuttle guests to and from the boat. VIP's may be invited to experience the waterway in a different way. The waterway survey is still not complete but should be by October 12th. The Corps will be using sections 1135 and 204 monies for the restoration projects involving some islands in the Ding Darling Preserve. The Corps staff is reviewing the Big Pass condition issue. The contract for the Boca Grande dredging project will start prior to September 24, 1998. Counsel Perrey and Mr. Listowski are meeting with senior real estate legal staff to discuss District property issues. The FSBPA conference is October 21-23 at South Seas Plantation.

CONSENT AGENDA - Commissioner Judah moved and Commissioner Cummings seconded to approve all seven items on the Consent Agenda. Motion approved unanimously.

ADMINISTRATIVE AGENDA

Report on Permitting Initiatives - Mr. Listowski said we have received permits for the dredging of Gottfried Creek contingent upon developing a channel marking plan. The state is trying to figure out how much to assess for the cost of the submerged lands which will be removed. The Shakett Creek notice of intent to issue has been challenged by Manasota 88, and we are preparing a response. Phillippi Creek is in the design/engineering phase. This is a complicated project, but we think we will be able to produce a permit application for an exemption portion of the creek within three months. We have a difficult problem at the mouth of the creek because there is a hard-bottom seawall going across the creek. That will require a scientific analysis.

Counsel Perrey has called the FDEP attorney on Shakett Creek and asked them to schedule this for an administrative hearing. We might set up a meeting with representatives of Manasota 88 and our consultants to see if we can inform them of our scientific evidence, causing re-evaluation. Regarding our meeting in Tallahassee, we have several approaches to try out. One approach is to ask the DEP to initiate rule-making proceedings for a general permit. Another approach is to ask Kirby Green if he would oppose or support a statutory exemption for our District to do maintenance dredging projects. That would save a lot of time and money. Part of the legislation passed this year includes \$30 million for beach and inlet projects. There are incentives for regional initiatives and regionally-managed projects.

Blackburn Lawsuit - Counsel Perrey said the case was set for trial the last two weeks of this month but has been postponed until the first two weeks of November. Next Thursday morning is a mediation conference in Venice at 9:00. Commissioner Judah moved that Mr. Listowski was to attend the mediation and gave him the authority to negotiate for the District. Commissioner Cummings seconded. Motion passed unanimously. Sarasota County is in charge of the litigation, but we are trying to assist and support the county.

Report on Spoil Area Conditions and Development Issues on Venice Island - Mr. Listowski said the Senior Friendship Center is a corner parcel within another parcel of 50 acres. We were asked to discuss the possibility of expanding parking at the facility. A review of the files indicates we have an agreement on two acres and a supplemental agreement on another acre plus. Staff recommends that we renew and reinvent that one acre plus agreement to secure the supplemental parking the Center already has, and also we want to enhance that one acre by removing exotic vegetation around the fringe and expand it that way rather than to hard-surface it. Staff recommends approval to renew the supplemental agreement for an additional acre to the two acres. We would pay for the exotic removal as part of our regular spoil management activity. The last agreement expired December 31, 1997, and the new agreement will be for five years. Commissioner Judah moved and Commissioner O'Neil seconded to approve the new agreement for five years. Motion passed unanimously.

The other Venice issue concerns a development called Laguna Veneta, an upscale 145-unit development that sits between two parcels WCIND owns. The site has been known in the past as

the Vogel property. Mr. Listowski has been meeting with the developers for several months regarding such issues as scrub jay habitat. A consulting engineer working for us looked at the site plan, and he considers the proposal given to us as inadequate as it relates to giving us access to our properties through the adjacent lands. By the next meeting, a legal agreement clarifying access issues for WCIND and the developer may be brought before the Board. Mr. Perrey has already been approached and is working on the agreement. We will be using part of their property for access to our property, and they need part of ours to access their property.

Report on Regional Beach/Inlet Convocation Proceedings - Mr. Perrey mentioned H.B. 3427 and the \$30 million of dedicated funding for the next 15 years every year and how we might become more competitive. The District should provide some conduit service to the region since we are a regional entity. Mr. Listowski and Wayne Daltry of the SWFRPC have put together a group of people that have special interests. We seem to be strategizing on better ways to communicate with the Corps of Engineers, and the Corps wants to be actively involved in this group. Commissioner O'Neil spoke in favor of a regional dredge for our area. Mr. Listowski said a study nine years ago determined that contracted dredging activity would be best as far as more bang for the buck. This group is looking into regional mobilization costs. Mr. Listowski would give the commissioners a copy of that study by Coastal Engineering Consultants in Naples.

Mr. Perrey said that H.B. 3427 provides for a 75-25 match for a regional approach and a 50-50 match if you don't use a regional approach. Six additional staff will be needed to administer the \$30 million, and Mr. Listowski wants one staff person to be partly dedicated to our issues in southwest Florida.

EXECUTIVE DIRECTOR'S REPORT

Mr. Listowski reported that Manatee County has requested that the District consolidate two projects (M-69 and CIP-22), which are now complete and have an unused balance of \$44,479.49 and unused funds of \$24,625.00 from M-84 for a total of \$69,104.49 to be deposited in Manatee's CIP Fund for future use. Commissioner Judah moved and Commissioner Cummings seconded to approve this request. Motion approved unanimously. Manatee County also requested increasing CIP-24 (Dr. Antonini's study) from \$105,748 to \$108,825. Commissioner Judah moved and Commissioner O'Neil seconded to approve this request. Motion approved unanimously.

Mr. Listowski read Resolution 98-5 into the record, recognizing the outstanding service to the District by Commissioner Jack O'Neil of Sarasota County as the representative from his county and as the District's secretary for the last four years. It mentioned his leadership efforts in the regional waterway management system, Gottfried and Shakett Creeks, and the Suncoast Foundation, among many other initiatives. A round of applause followed, and Commissioner O'Neil graciously thanked the Board for the framed resolution.

The Board Meeting was adjourned.

FIRST PUBLIC HEARING ON THE BUDGET FOR 1998/99

Commissioner McClash opened the budget hearing at 5:01 p.m. and announced the proposed millage rate of .04 mill. The percentage increase in millage over the rolled-back rate necessary to fund the proposed budget is 36.99%. Mr. Listowski said the District finds that we have more money requested from the counties than the rolled-back millage can support. The counties want to become more active, and the dredging of Stump Pass has depleted our reserves. Cost-sharing initiatives will require additional funds.

The Chairman opened the hearing to the public. Mr. Strubel said that each county should have a waterway advisory committee with persons who live on the waterways appointed in each county. Charlotte and Lee Counties already have those committees.

The public comment portion of the meeting was closed.

Commissioner Cummings moved and Commissioner Judah seconded to adopt a tentative millage rate for FY1998/99 of .04 mill. Motion passed unanimously. Commissioner Cummings moved and Commissioner O'Neil moved to adopt the tentative budget with projected funds available of \$2,782,529.00 and total expenditures of \$2,782,529.00. Motion passed unanimously.

The Chairman announced that the hearing to finalize the budget and adopt a final millage rate will be held at 5:01 p.m. on Friday, September 18, 1998 at the South County Administration Center in Venice, Florida.

The hearing was adjourned at 5:22 p.m.