

Beaches & Shores Advisory Committee
Thursday, November 5, 2009
Charlotte County Administration Center
Room #B-106

Members Present

Robert Pierce, Chairman
Tommy Brock
John (Jack) Landis

Excused

Dick Whitney, Vice-Chairman
David Nellis
Kevyn Schweim
Bill Weller

Staff Present

Commissioner Bob Starr
Missy L. Christie, Env. & Ext. Services
Jason Stoltzfus, Budget & Administrative Services
Derek Rooney, Assistant County Attorney
David Milligan, Parks and Recreation
Jane Starr, Recording Secretary

Guests

Michael Poff, CEC
Capt. Ron Blago, MAC
Troy Gills, Manasota Key
Bob Madden
Wilma Katz, CWC, Inc.
Mary Capecci

- I. **Call to Order/Roll Call/Determination of Quorum**
Chair Pierce called the November 5, 2009, **Beaches and Shores Advisory Committee** meeting to order at 9:04a.m. It was noted a quorum was not present.

- II. **Approval of Minutes**
Minutes were not approved due to a lack of quorum.

A discussion took place regarding attendance rules according to Committee bi-laws.

- III. **Additions/Deletions to Agenda** - *None*

- IV. **Chairman Comments** - *None*
Chair Pierce announced the Election of Officers would be held in January. He stated he would be out of town in December but agreed to remain as Chairman unless another member would like to step forward.

V. Commissioner Comments

Commissioner Starr commented on his visit to view the Islands following Michael Poff's update at the last meeting and the deteriorating conditions he observed. He advised that separate helicopter flights have been arranged for the Commissioners to obtain aerial views of the area. He also mentioned fire protection problems on Little Gasparilla Island and a short discussion followed.

VI. Old Business

Current Laws re: Dogs on the Beach – Derek Rooney

Chair Pierce provided an update and offered examples of problems that residents have been encountering. **Assistant Attorney Derek Rooney** was asked to define the legal definition of a public beach vs. a private beach. He advised on information written in the County Codes and agreed an interpretation needs to be drawn between County Beaches and State Beaches. **Missy L. Christie** made known that although dogs are allowed in certain areas of state parks they are not allowed on the beach. **Commissioner Starr** felt that the prudent thing to do would be to wait for the Supreme Court ruling which should settle all of the controversy about who owns the beaches and who is allowed to use them. **Assistant Attorney Rooney** commented further on the Supreme Court case that was filed in the Panhandle and further discussion ensued regarding legal enforcement.

Tommy Brock commented that he has lived on the beach for the past thirty (30) years and is not seeing a continuous problem with dogs on the beach. **Ms. Christy** responded that she felt Little Gasparilla was the worst area for offenders and said she has counted as many as thirty-two (32) dogs in one evening. **Mr. Brock** felt establishing a small isolated area where residents could take their dogs would solve the problem.

Stump Pass Dredging and Beach Restoration – Michael Poff & Jason Stoltzfus

Michael Poff stated he would be meeting with Administration to go over the options available to the County. **Jason Stoltzfus** presented information and answered questions regarding FEMA funding.

(Derek Rooney left the meeting at 9:41am)

Discussion continued regarding timelines and possible solutions. **Mr. Stoltzfus** indicated he did not foresee any problem with approval of the request and confirmed additional funding would be available if there were more damages caused by another storm. **Mr. Poff** added additional comments and stated further information would be available following his meeting with the Board.

Jason Stoltzfus left the meeting at 9:50am.

Mr. Poff presented members with a PowerPoint presentation on the Charlotte County Erosion Control Project:

- Outline
- Project Features Map
- Manasota Key Profile Comparisons
- Manasota Key/Palm Island Profile Comparisons
- Knight/Don Pedro Profile Comparisons
- July 2008 CEC Stump Pass Survey
- January 2009 CEC Stump Pass Survey
- July 2008 – January 2009 Stump Pass Morphology Changes
- January 2009 – July 2009 Stump Pass Morphology Change
- 2006 CEC Stump Pass Survey
- 2006 – July 2009 Stump Pass Morphology Change
- Historical Throat Cross Sections
- 2006 Design Templates
- 2009 Design Templates

A question and answer period followed and **Mr. Poff** addressed members' questions and concerns.

FSBPA Beach Watch Update

Jack Landis reported that **Dick Whitney** gave a presentation at last month's Marine Advisory Committee meeting and confirmed that they would support a membership in the FSBPA provided that approval was given by the Commissioner representing the Marine Advisory Committee. **Chair Pierce** advised on the three (3) types of memberships that are available. **Mr. Landis** advised that he had a personal membership. It was stated that Charlotte County is the only county in Florida who is not a part of the Beach Watch Program. **Chair Pierce** responded to **Chad Lach** about the benefits of joining and asked **Mr. Poff** for suggestions that might enable the County to obtain membership. **Commissioner Starr** advised that Charlotte County is one of the few counties that doesn't have significant reserves, but promised to give this issue careful consideration. **Commissioner Starr** responded to a question by **Mr. Poff** regarding other programs that had been cut and whether they had dedicated funding.

(Commissioner Starr left the meeting at 10:46am)

Report on Closing Two Access Points on Public Beach (Manasota Key)

Tommy Brock distributed and discussed current pictures of the area. He suggested that the Parks Department first add another 4 x 4 rope fence along the

rock line on the south side and then and address funding for a walk over and a drive over which would also create handicap access. **Mr. Milligan** added additional comments and said a wood boardwalk was the reason there is not an erosive trough of people walking through. He did not feel there was an immediate emergency for a wood crossover. **Chair Pierce** agreed. **Mr. Milligan** stated the rope would be installed along with additional signage. **Mr. Brock** suggested additional vegetation such as Sea Oats also be added.

Report on Presenting Beach Watch membership to MAC
Nothing further was reported.

VI. **New Business** - *None*

VIII. **Action Items** - *None*

IX. **Committee Reports** - *None*

X. **Correspondence and Communication** - *None*

XI. **Public Comments**

Troy Gills spoke on beach renourishment in Manasota Key and discussed an area on the critically eroded list. It was his understanding that several homeowners do not wanted to sign off on the construction easement and he does not understand how a few homeowners could stop something that would be a benefit to the whole Island. He asked that the Committee address this issue.

He also discussed an issue at Englewood Shores involving the Sherriff's Office and announced he is in receipt of two letters from the State regarding recreational and customary use of the beaches in this area. He reported residents can no longer use the easements that have been in place since 1956 and he did not feel, according to the State, that the Sherriff's Office has any legal standing to enforce this issue. In addition, he discussed concerns he had regarding revenues collected for the Stump Pass Beach Renourishment Project. **Chair Pierce** stated the Committee has addressed these issues in the past but would re-address them again in more detail. It was decided to add this as an agenda item for next month. **Mr. Gills** advised he would also be meeting with Commissioner Starr and he discussed additional concerns he would like the Committee to address.

Bob Madden, Manasota Key, commented further on the closing of the two access points and mentioned that he has seen citizens tying their bikes to the "Do Not Walk Over the Dune Sign" before walking over to the weekly free yoga lesson on the beach.

XII. Staff Comments - None

XIII. Member Comments - None

XIV. Next Meeting

The next meeting is scheduled for Thursday, December 3, 2009, at 9:00a.m. in Room B-106.

XV. Adjournment

Chair Pierce called the meeting to a close at 11:09a.m.

Respectfully Submitted,

Jane Starr

Jane Starr
Recording Secretary