

**Beaches & Shores Advisory Committee
Thursday, December 3, 2009
Charlotte County Administration Center
Room #B-106**

Members Present

Dick Whitney, Acting Chair
Tommy Brock
John (Jack) Landis
David Nellis
Kevyn Schweim
Bill Weller

Excused

Robert Pierce

Staff Present

Commissioner Bob Starr
Missy L. Christie, Env. & Ext. Services
Jane Starr, Recording Secretary

Guests

Michael Poff, CEC
Ranee LaSalle, CWC
Wilma Katz, CWC
Bob Madden
Mary Capecci

- I. **Call to Order/Roll Call/Determination of Quorum**
Acting Chair Whitney called the December 3, 2009, **Beaches and Shores Advisory Committee** meeting to order at 9:04a.m. It was noted a quorum was present.

- II. **Approval of Minutes**
Acting Chair Whitney entertained a motion to approve the **October 1, 2009** minutes of the **Beaches and Shores Advisory Committee** as written. Seconded by **Jack Landis**, the vote passed unanimously.

A motion was presented by **Tommy Brock** to approve the **November 5, 2009** minutes. The motion was seconded by **Jack Landis**. Following a discussion, a vote was taken and the November 5, 2009 **Beaches and Shores Advisory Committee** minutes were approved with corrections. The motion passed unanimously.

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

- IV. **Commissioner Comments**
Commissioner Starr commented that the Commissioners have been touring Stump Pass by helicopter as they have been unable to obtain the correct

prospective from a ground level. He agreed there is a critical problem and said looking at it from this view has been very enlightening.

V. **Chairman Comments**

Acting Chair Whitney announced that elections will take place in January. **Tommy Brock** and **David Nellis** confirmed they would like to be reappointed.

Acting Chair Whitney provided members with a handout of an article that appeared in the December 2, 2009 *Wall Street Journal* regarding Property Rights at the Water's Edge and the case currently being heard by the Supreme Court. He advised that discussion will be tabled until a decision is decided upon by the Court.

VI. **Old Business**

Stump Pass Dredging

Michael Poff provided members with an update on the Stump Pass dredging and announced he would be meeting with Commissioners later today on the issue. He advised that Commissioner Skidmore has asked for Administration to attend the meeting in Tallahassee when it takes place. Jason Stoltzfus is working on a time extension and although he does not yet have anything formally in writing, he does not foresee any problems. Mr. Stoltzfus will be invited to present an update at the January meeting.

Mr. Poff advised that the Shorebird Report was completed and submitted by **Missy L. Christie** and the Turtle Monitoring Reports will be complete soon. The Annual Monitoring Report will be compiled from the data that was presented at last month's meeting but will not be filed until early next year as the aerial photography is not yet available. Next year's Scope will come before the Commission in January or February for the 2010 monitoring. He advised that there might be a small change in some of the monitoring activities in 2010 because of the construction phase and stated that additional beach tilling will not occur until after construction is completed.

Tommy Brock inquired about a March date and voiced concerns that the western part is moving in and creating a sand bar. He also confirmed the floating markers have been moved. Discussion continued regarding the benefits of dredging the Pass and the importance of Beach Renourishment. **Commissioner Starr** offered additional comments.

Beach Restoration Easement Contract Review

Acting Chair Whitney referenced the handout that was included in this month's packet and asked **Commissioner Starr** if there was a letter of explanation in layman's language that would accompany the easements when sent to property

owners. **Michael Poff** confirmed that Real Property and Public Works put together a cover letter, a graph explaining where the easement is, and a Frequently Asked Question Sheet that is included to make it as straight forward as possible. Discussion continued. **Mr. Brock** discussed his concerns. **Commissioner Starr** asked that all future emails be sent to his attention and said he would speak with the County Attorney and/or Public Works Department to obtain answers. **Mr. Poff** added additional comments and **Acting Chair Whitney** asked the Recording Secretary to provide members with a copy of the cover letter that accompanies the easements. **Missy L. Christy** voiced concerns she had regarding the monitoring activity that also needs to take place.

VI. New Business - None

VIII. Action Items - None

IX. Committee Reports -

Acting Chair Whitney reported on Parks and Recreation and stated a contract has been signed by the County for Kayak rentals at the Charlotte County beach. He went on to say that the County is also looking at parking passes for beach property and County parking areas. Proposed rates were also discussed. **Commissioner Starr** suggested the parking pass be something other than a sticker so households could use it on multiple cars. He advised that the proposal still needs to be approved by the Commission.

Acting Chair Whitney also mentioned a Kayak Festival what will be held on April 10, 2009 at the Charlotte County Beach. He advised that Parks and Recreation are currently looking for sponsors and financial assistance.

An update on the El Jobean Boat Ramp was also provided.

X. Correspondence and Communication - None

XI. Public Comments

Randee LaSalle commented on the Florida Shore and Beach Preservation Association membership and her surprise upon learning that Charlotte County might be the only county not participating. She felt that as a Coastal Community, it is very important that Charlotte County have a County Membership. She believes this is a worthwhile expenditure and it is her hope that it will be presented to the Commission along with a request for further consideration. **Acting Chair Whitney** advised that several members of the Committee are receiving emails from the FSBPA Beach Watch Program and requested that anyone who would like to receive future notifications and who is not currently on the distribution list supply their names and email addresses.

Tommy Brock responded to a question by **Mary Capecci** regarding objections to the Beach Restoration Easement Contract. **Mr. Brock** said he felt the wording of the contract was the main objection and made known he felt strongly about the issue.

Ms. Capecci next inquired about the Stump Pass Beach Renourishment tax paid on over 70,000 individual parcels of land in the west portion of Charlotte County, specifically west of the Myakka River. She voiced concern that residents are paying MSTU taxes for a benefit they are not promised to receive. **Commissioner Starr** explained the justification for creating MSTU's and asked that **Ms. Capecci** send an email to him stating her concerns. He advised he would look into the matter and provide an answer to her questions. **David Nellis** commented on the justification of the tax and **Michael Poff** further explained MSBU's, MSTU's, and the purpose and criteria for State funding. **Ms. Capecci** advised that she did not agree with the information provided and again said she was unhappy that Charlotte County was taxing her and taking State money for a benefit she will not receive. In response to her question about further action, **Commissioner Starr** suggested starting a petition drive to rescind the MSBU. **Ms. Capecci** clarified that she did not want to rescind the MSBU, but rather wanted the benefit for which it was created.

XII. Staff Comments - None

XIII. Member Comments - None

XIV. Next Meeting

The next meeting is scheduled for Thursday, January 7, 2009, at 9:00a.m. in Room B-106.

XV. Adjournment

Acting Chair Whitney called the meeting to a close at 10:01 a.m.

Respectfully Submitted,

Jane Starr

Jane Starr
Recording Secretary