

DRAFT - MINUTES
Beaches and Shores Advisory Committee
May 5, 2011

The meeting was called to order by Chairman Robert Pierce at 9:21 am.

Members Present

Robert Pierce, Chairman
Dick Whitney, Vice Chairman
Clifford Kewley
David Nellis
Kevyn Schweim

Members Excused

Tommy Brock
Jack Landis

Members Absent

NONE

Staff Present

Commissioner Robert Starr
Charles Mopps, Public Works
Pamela J. Alexander, Recording
Secretary

Guests

Chad Lach, Florida Park Service local contact
Frank Kudrna, Citizen

APPROVAL OF MINUTES

On motion by Kevyn Schweim, seconded by Cliff Kewley, and carried unanimously, the minutes of the March 3, 2011 meeting were approved as presented.

On motion by Kevyn Schweim, seconded by Dick Whitney, and carried unanimously, the minutes of the April 6, 2011 Joint Meeting were approved as presented.

ADDITIONS/DELETIONS TO AGENDA

NONE

CHAIRMAN COMMENTS

NONE

COMMISSIONER COMMENTS

NONE

At this time, Dick Whitney provided an update on the Joint Meeting, stating that he was disturbed that there was no quorum from this Committee.

There was a discussion of the small lot dredging pilot program at the Joint Meeting but no action was taken. Once again there was extensive discussion including comments from Frank Kudrna, the citizen who proposed the program, Charles Mopps from Public Works, Commissioner Starr and the members of the BSAC.

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***NOTE: Due to problems with the recording equipment, these Minutes have been created from handwritten notes ***

Items of importance:

- Mr. Kudrna advised that he has been discussing this issue with BCC members for two years for this project that he feels would reduce the costs of dredging to the homeowner.
 - Commissioners Skidmore, Duffy and Starr have indicated support.
 - He was concerned about the fact that the Sunshine Law has affected his ability to discuss this with all the Commissioners.
 - He has not spoken with Commissioners Constance and Deutsch.
 - He stated that the County Contractor for Stump Pass, Michael Poff also indicated support.
 - He feels that this project should be elevated to Committee status.
 - He stated that Len Harris, Chairman of the Marine Advisory Committee, felt that this was not a MAC issue but they would provide support.
 - He stated that the dredging company has agreed to grade the lot, install silt barriers, seed/sod, etc.

- Charles Mopps provided the following comments
 - This is not a Public Works issue. Building Construction Services is the department charged with enforcement.
 - There is currently no permitting process and he has provided much of this information to BCS. The Ordinances and Policies and Procedures must be changed in order for this to happen.
 - There must be a system of checks and balances to assure that no damage is done to the existing property (e.g., gopher tortoises, nesting birds, etc.)
 - The dredged material is coming out of County property and may result in a liability issue.
 - There is a cost benefit of hauling large amounts of dredge material to the landfill to be used for base and fill material

- Additional comments were provided by Commissioner Starr and other Committee members.

Although listed as an Action Item later in the Agenda, at this time, **Dick Whitney** made a motion that the Charlotte County Board of Commissioners be advised that it is the recommendation of the Beaches and Shores Advisory Committee that a small lot dredge fill committee be appointed to oversee a pilot project to place residential canal dredge material on individual residential lots and to establish procedures for so doing that would meet the requirements of Charlotte County Code of Ordinances Part II Land Development and Growth Management Chapter 3-2, Article VIII (Flood Damage Prevention). It was seconded by **Cliff Kewley** and carried unanimously. Commissioner Starr advised that he would bring this up under commission comments at a future BOCC meeting and took a copy of the statement prepared by Mr. Whitney.

Additionally at the Joint Meeting, there was a discussion regarding the fact that Charlotte County was left out of the recent Army Corps of Engineers Environmental Impact

Statement concerning the impact of phosphate mining activities. Since a quorum was not present at the Joint Meeting and the deadline for submittals was April 25, 2011 no action was necessary at this time by the BSAC. Commissioner Starr reminded those present of the need to have a quorum at the Joint Meetings. However, he has assured all that he will do everything possible to have Charlotte County included in this vital Impact Study.

NEW BUSINESS

NONE

OLD BUSINESS

Some discussion took place regarding the response from the County Attorney regarding the BSAC request for a legal opinion on the recent Supreme Court ruling on beach management. It was the consensus of the group that the situation remains the same.

A written report regarding Stump Pass was provided to all members by Michael Poff, since he was unable to attend.

ACTION ITEMS

- Recommendation: small lots dredge fill material – Dick Whitney (see above)

- Recommendation: ongoing erosion control program – Robert Pierce
Chairman Pierce distributed a draft recommendation letter addressed to the Board of County Commissioners regarding the ongoing and future maintenance of Stump Pass and that the joint cooperation currently in place should continue. On motion by **Kevyn Schweim**, seconded by **Dick Whitney** and carried unanimously, this letter will be formally prepared by the Clerk and forwarded to the five commissioners.

COMMITTEE REPORTS

Dick Whitney reported that yesterday, at the Parks and Recreation Advisory Committee meeting, there are now eleven (11) County parks where dogs may be walked on a 6-ft leash. There was additional discussion regarding designated smoking areas. This idea was turned down at this time but will be reconsidered at a future meeting.

CORRESPONDENCE AND COMMUNICATIONS

NONE

PUBLIC COMMENTS

NONE

STAFF COMMENTS

NONE

MEMBER COMMENTS

The following updates were provided:

- The quotes for consulting coastal engineering contractor were currently being

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- discussed by the County Engineer, Dan Quick and the Purchasing Department.
- The quote for the dune planting is being opened today.
- Channel Markers: the buoys are being staked; the dayboard will be replaced by light.
- Most of the complaints regarding the Stump Pass Dredging project were regarding the back-up horns on the equipment and the noise of the tugs during the night
- Do not use adhesive envelopes for the new parking payments system at the parks as the weather will cause them to stick together and make them unusable.
- Suggestion to arrange for speakers regarding climate change, sea level changes, etc., particularly as it relates to Stump Pass

Due to an e-mail received from member, Jack Landis regarding his possible resignation, a discussion took place regarding how absences affect membership as described in the legislation creating the BSAC, as well as the adopted rules of procedure.

Commissioner Starr left the meeting at approximately 10:30 a.m.

NEXT MEETING

The next meeting will be the Joint Meeting with Parks & Recreation Advisory Board and the Marine Advisory Committee on Wednesday, October 5, 2011 at 1:00 p.m., at the Charlotte County Mid-County Library, Room C, 2050 Forrest Nelson Boulevard, Port Charlotte.

The meeting was adjourned at 10:35 a.m.

Respectfully submitted,

Pamela J. Alexander
Administrative Assistant II

Minutes Approved on December 1, 2011

Robert Pierce, Chairman
Beaches and Shores Advisory Committee

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