

DRAFT MINUTES
CHARLOTTE COUNTY MARINE ADVISORY COMMITTEE
Thursday, March 12, 2015, 9:30 a.m.
Charlotte County Administration Center
18500 Murdock Circle, Room 119, Port Charlotte, FL 33948

I. Call To Order and Pledge of Allegiance 9:30

II. Roll Call

III. Chairman's comments

A. REMINDER TO ALL VISITORS ADDRESSING THE COMMITTEE: PLEASE SIGN IN. It is helpful when preparing the Minutes. A clipboard and a pen are provided on the podium for your convenience.

B. REMINDER TO ALL MEMBERS STATE THEIR NAME AND ORGANIZATION and TO USE THE MICROPHONE WHEN ADDRESSING THE COMMITTEE. It is helpful when preparing the Minutes

The Chair provided general comments regarding today's agenda and order of business

IV. Changes to the Agenda

A. Under Regular Business, Item A, David Johnston to address the Committee.

V. Citizen Comments on Agenda Items

None

VI. Commissioner Comments

Commissioner Deutsch said he would wait to give his comments until discussion of WCIND later in the meeting. He also acknowledged the work of County staff in pushing ahead the CHCRA project and providing assistance in getting WCIND funding for this project.

VII. Regular Business

A. Approval of the [Minutes](#) of the Pre-Agenda Meeting from March 5, 2015 – Additions, Corrections or Deletions. – Approved by acclamation.

B. Approval of the [Minutes](#) of the Regular Meeting from February 12, 2015 – Additions, Corrections or Deletions. Approved by acclamation.

C. MSBU Update

Mr. Matt Logan offered a brief summary of the items on the monthly project report. He indicated that there has been some progress with National Marine Fisheries (NMF) on a number of projects; e.g., Alligator Creek is one of the projects that has shown progress. Gulf Cove Waterways had been recommended for a slightly different design by the consultant; the new design was presented to the Waterway Committee which agreed that it was a good option which would permit possibly teaming up with WCIND for potential funding, so this is proceeding on the changed basis. Hayward, Manchester and Peace River Shores, there is currently no activity, just waiting for the engineer to sign off on these. The Northwest Port Charlotte and Suncoast Waterway dredge projects are complete. Pirate Harbor – the sea grass permits are in progress, and survey will

be done to establish areas of mitigation. Stump Pass has had its second RAI issued and is going thru final review, anticipate having that out the door this week; coordinating with the Army Corps, and County has been working to get all easement information and notification out to residents.

- D. Budget Update – Mr. David Johnston presented the new material he had generated for the grant applications process. Since the pre-agenda meeting, he indicated, there has been a change in available funds, which he will discuss now, and follow up with a written report; he anticipates being able to fund all requests, with the usual caveats about meeting the requirements of funding.

The two changed items were: the \$330,000 grant for the Charlotte Harbor (CHCRA) Gateway Harborwalk Seawall replacement project was approved, with WCIND providing \$100,000 and \$100,000 in CINF funds, along with \$130,000 from the Boater Improvement Fund. This a new project that was approved by the BCC prior to the MAC pre-agenda, and is now added to Exhibit A.

Secondly, in conversation with WCIND, it appeared there were CINF funds of only \$229,000 available (approximately \$300,00 less than what we assumed); Mr. Johnston described his efforts to double-check their records and found that their records are correct but that they involved projects that were not being tracked on the County's project list, e.g., \$130,000 for the emergency trestle removal in 2012. Also in 2012-14, the County wrote WCIND projects for more money than was available. He described how these funds were covered by reductions on the books without comment to the County. Commissioner Deutsch said he will be speaking with the WCIND people at the next meeting and asking that this situation not be repeated.

In summary, Mr. Johnston recapped that (contrary to what he originally thought) current grant requests will need to include 2016 funds and some reserve funds, if all were to be approved by the MAC and if MAC chooses to use those other funds. Chair Ireland asked if this means that MAC would come up shorter next year in that case; Mr. Johnston said no, but the group will have to live within its budget, though that budget should be greater based on expected higher property values which in turn affects WCIND funds.

Mr. Johnston then handed out the written version of his comments; he then turned to his caveats: There are projects which are not yet vetted that might change the calculations; the Committee might partially fund some projects. Additionally, Mr. Johnston said they would be moving some money for Stump Pass project from what we usually pays out of WCIND or the Boaters Fund, which is for hindered and impede boat access, thinking it can be argued that the Stump Pass project is going to improve boat access. If Fish and Game does not agree with the contract definition, then that would fall on additional reserves or general funds. Mr. Gertner asked when they would know if they will agree; Mr. Johnston indicated he didn't know, noting that we would need to ask people who work with Fish and Game since it's a project and operations question.

Regarding the division of items between the March and April meetings, Mr. Johnston indicated that the ones being considered this month are the smaller or more familiar requests for which there will be fewer questions; those being pushed to next month are newer projects that need more explanation to be fully vetted. Mr. Buckley asked if there could be paper copies for those items being

considered at the April meeting; Mr. Johnston said he could provide them separately in digital or paper.

Mr. Ireland noted new the CHCRA project, seawall replacement; Mr. Johnson confirmed that this is the item that Commissioner Deutsch took to WCIND and they approved it, therefore it has to be included. Chair Ireland confirmed that item would be part of the April discussions. Commissioner Deutsch commented on the time constraints and the need to get this project, which is critical to the County, moved along. Further discussion ensued, including comments on the increasing economic health of the County and increasing property values. Chair Ireland then indicated which application items would be heard in April rather than today.

- E. Mr. Johnston provided hard-copy reports on the results of his review on 1) the history of prior contributions to the Stump Pass MSBU and 2) MAC fund availability and restrictions on each fund (copies of these reports are attached to these minutes).

VIII. New Business

- A. FY 2016 Grant Applications ([All Applications](#)) ([Exhibit A Spreadsheet](#))

The group then moved on to consideration of the applications, beginning with Item 3; Mr. Roger DeBruler commented in support of a grant request for removal of abandoned vessels from the waters of Charlotte County. Motion for approval made by Mr. Schermerhorn, second by Ms. Buck, approved unanimously.

Mr. DeBruler also presented Item 4 regarding construction and monitoring of an artificial reef; no questions being posed, Mr. Schermerhorn motioned Approval, second by Mr. Davidson and approved unanimously.

Item 5 was also presented by Mr. Bruler, concerning funding for a position under Natural Resources to administer the programs just approved for funding; Mr. Schermerhorn motioned approval, second by Mr. Davidson. Mr. Hofmeister requested an update on that request; Mr. DeBruler provided details on three current actions for removal of derelict vessels in Charlotte waters (grant request number three), noting that there has been great success in finding these owners and getting compliance. Ms. Buck asked about the floating sailboat at the old Tower Bar off Rt. 17; Mr. DeBruler indicated he was waiting for line to break and then he can act against it. The question was the called on Item 4, which was approved unanimously.

Finally, Mr. DeBruler spoke to Item 6 which is meant to cover miscellaneous expense for the programs covered by items 3 and 4. Mr. Ireland commented on Mr. DeBruler's wise spending habits, and found the request reasonable. Motion to approve by Mr. Hofmeister; seconded by Mr. Buckley, and unanimously approved.

Item 7 had been withdrawn from consideration.

Item 8 for miscellaneous expenditures related to Sea Grant operations, presented by Betty Staugler who indicated she was available to answer any questions. Mr. Davidson motioned approval, seconded by Mr. Schermerhorn, and unanimously approved.

Item 9 concerned the Stump Pass dredging renourishment, and is MAC's annual contribution to the effort. Chair Ireland made introductory comments on the matter and how the completion of the groins should reduce the need for contribution in the future. Ms. Buck motioned approval, second by Mr. Gertner; the matter was unanimously approved.

Item 11 concerns Marker Maintenance and navigational aids; Mr. Matt Logan commented on the need to correct the spreadsheet to indicated the request is for \$50,000 not \$40,000, and Mr. Johnston concurred regarding this typographical error. Mr. Johnston also reminded the group that there is only reimbursement for markers actually replaced and therefore the request is for up to \$50,000 but might actually fund only \$20,000 or \$30,000, once the work has been completed. Mr. Buckley motioned approval, second by Ms. Buck; unanimously approved.

New markers in Pirate Harbor are the subject of Item 12. Chair Ireland asked why this is a separate item from the other markers; Mr. Logan said he couldn't answer that. Mr. Gertner, who is on the Pirate Harbor Waterways Committee, indicated the request had never been discussed by that Committee. Mr. Hamilton suggested and then motioned that the matter be moved to April and get more facts, second by Mr. Hofmeister, and it was unanimously approved to be heard in April. Mr. Rose observed that the backup data has nothing attached. Mr. Johnston commented that Fiscal traditionally keeps new and maintenance markers in separate applications.

Item 13 was submitted by Charlotte County Public Works for Marine Debris Removal. Mr. Logan was asked what this work entails; he responded that it covers all hazards to navigation. Mr. DeBruler commented that the program started after Hurricane Charley, based on reports from citizens who see or encounter debris in the canals or harbor, and that a substantial amount of removal has been done under this heading, including pilings, pieces of the trestle, awnings from homes that have ended up in the canals, etc. Ms. Buck motioned approval, second by Mr. Gertner, and the matter passed on a unanimous vote.

Item 14 has been submitted by CCSO seeking officer overtime; Cpl. Lytle was present to answer questions. Chair Ireland commented that there are only three marine patrolmen for the entire County; Cpl. Lytle responded that the request is for \$20,000 in overtime for this staff plus \$687 for two headsets to receive communications during enforcement activity.

Mr. Hamilton asked whether these are public events, and if so, shouldn't the event holder pay for the officers' presence; Cpl. Lytle noted that the boat race was supposed to pay for overtime and they didn't, CCSO bore that cost. He noted that additionally, the seasonal mullet run is not really an event, it's a seasonal activity during which CCSO may be confiscating fish which they then donate to Peace River Wildlife Preserve. It was established that this expense is for public events, not private, for profit events that should bear the cost. Mr. Rose provided some detail on the hours involved for these days (e.g., July 4th and Labor Day) when people are out on the water. Mr. Schermerhorn asked why, when CCSO knows these events recur, they aren't included in the regular Sheriff's budget; Cpl. Lytle indicated he wasn't the appropriate person to answer that, but that it was the CCSO that scheduled the marine staff. Mr. Schermerhorn made it clear that he was not challenging the marine staff in any way or questioning their performance, but that he continued to wonder why the

anticipated overtime isn't being budgeted in the normal way, and he directed this question to Commissioner Deutsch, who indicated that he would be meeting with CCSO the following day and would bring up this valid question.

Further discussion ensued on the topic; Mr. Hoffman commented he didn't see a problem with the funding request, just that Cpl. Lytle isn't the person who should be asking for these funds, it should be the CCSO presenting and justifying the request; Chair Ireland indicated he agreed with Mr. Schermerhorn that these recurring events should be budgeted. Commissioner Deutsch commented further on his anticipated conversation with the Sheriff. Mr. Davidson commented on the obvious need for another full time position and asked why they are seeking overtime funds instead when, he felt, \$20,000 represented about half a full time position. Cpl. Lytle suggested that \$20,000 is about 1/5 not 1/2 the funding for a full-time position. Mr. Rose observed that historically, the Committee used to contribute \$40,000-50,000 for Public Works during the time the County budget was under pressure, recognizing it as a valid need; in that allocation of funds up to 20% can be used for law enforcement, but again do we want to contribute or should it be included in the County budget. Mr. Ireland suggested that the matter be tabled until April and Commissioner Deutsche has come back with the results of his discussion with the Sheriff; the Commissioner, however, suggested that the Committee move on it now, since we've done it in the past, and we'll just try to change things in the future. Mr. Davidson indicated that he agreed and moved approval of the request, which was seconded by Capt. Blago. The vote carried with **one dissent**. (?Mr. Schermerhorn?) Mr. Hofmeister commented on the possibility that this funding be put toward a full-time position; further discussion ensued on this possibility. Commissioner Deutsch offered some perspective on the state of the County budget going forward; Cpl. Lytle indicated that the paperwork is already in process for the new positions. Chair Ireland emphasized that the position of MAC remains that if these overtime funds are for regularly-occurring, anticipated events, then they should be in the regular Sheriff's budget. Ms. Buck asked what the Sheriff's annual budget was, but the figure was not readily available.

Item 16 concerns a trailer for transporting Punta Gorda Police Department dive equipment. Mr. Davidson asked how the dive gear is currently transported; Lt. King admitted that they used a confiscated truck, but he noted that this causes issues that impede efficiency. Mr. Davidson moved approval, second by Mr. Hoagland, approved unanimously.

Item 17 concerns a request by the City for partial funding for the pump out boats; Mr. David Hilston, City of Punta Gorda, was present to comment. Chair Ireland said that he has seen the pump out boat, it is nice equipment; he indicated the Committee's question was how much does it get used and by whom. Current reports have been supplied that supply some details. Mr. Hilston indicated that the total cost is \$15,150; the bulk of the grant is requested because DEP does not fund for fuel, so that accounts for \$5,000 of the grant request. The remaining \$3,000 is for personnel costs. Mr. Davidson asked whether it's a free service for the consumers and then whether there is any accountability for those consumers, e.g., do they provide their name and phone number; Mr. Hilston indicated that the operators take the boat's registration number and tally that along with information on the location of the service and the amount of effluent received. Mr. Davidson stated he felt it was a great service, and important for the environment, but that he felt these consumers have the

wherewithal to pay; he felt they should be aware of the cost to the County and should be encouraged to contribute. Mr. Buckley commented that the state reimburses the City or County 75% and MAC pays the remainder; he also commented on the record-keeping required for submittal to Tallahassee. Mr. Buckley indicated that he gets a monthly report which he shares with the Boaters Alliance; data indicates that the service increases each month and constitutes an attraction to the County. Chair Ireland felt there was no dispute on those points; however, he said, MAC had last received a report in July but had gotten nothing since. He asked if there was any further update available, particularly since Mr. Buckley indicates there are reports generated monthly. Mr. Hilston indicated the City will do monthly instead of quarterly reporting then.

Mr. Hofmeister asked if the City had figures on the total annual cost for everything pertaining to the project (personnel, trailers, etc.), and if so, then is there a cost per pump-out based on this that you could provide to MAC; Mr. Hilston indicated that he could provide that, but that the current request was based on the past year's expenses. Mr. Hofmeister restated his request on cost information, indicating that he thought the per pump out cost would be outrageously high. He observed that there are existing pump out stations in the area; he suggested giving boaters tickets for one or more free pump outs, and MAC could then reimburse those stations for part of the cost. Commissioner Deutsch pointed out that while that may be right, this is a water quality issue and is connected to question of mooring fields. But this would be a very complex thing to put in place and administer, and that process would also have costs: printing tickets, giving them out, tracking results, etc. On the other side of the coin, said Commissioner Deutsch, the reality is that it is our responsibility to keep the waters safe.

Mr. Buckley commented that the PGBA established a program 'keep a clear head' which does a similar thing, e.g., hands out a ticket for a free gift of some kind for going in to have your boat pumped out. He also noted that the pump out boat amounts increase every month dramatically. Mr. Hamilton noted that this service amounts to thousands of gallons for \$8,100 annually, which he felt was very efficient; this isn't like a parking system, but is a service that the City and County wants people to use. Mr. Hamilton moved approval, second by Mr. Bobko. Capt Blago commented that this issue has been discussed more than just about any issue, and more money has been given to this project than any other government organization. He advised letting the City run their pump out boat and the Committee to consider in future putting a cap on what MAC will donate. Mr. Rose offered more historical info, noting that the pump out was required at Laishley Marine, and a pump out boat was cheaper than installing a manual system throughout; once it was decided to have the boat, it was realized that it made sense to do the Harbor and boats anchored off Gilchrist Park. Mr. Rose's recollection of last year's discussion's bottom line was that any costs incurred to support the marina is the responsibility of the city and the marina; MAC's obligation is for the fuel and the hours spent on the harbor. He also spoke to the issue of those with limited options(e.g., people not members of a marina.) Mr. Hofmeister made an additional comment about looking for alternatives and made further suggestions. Chair Ireland noted that this is a work in progress that is growing each month; it may not be paying for itself initially but that is likely to change. He called the question and the matter was unanimously approved.

Item 18 concerned the Civil Air Patrol sundown flights, and the matter was presented by Col. Kalettos. Mr. Hofmeister asked about future funding and whether there was currently any program under consideration to transition to using drones; Col. Kalettos responded that was possible in the future, but not currently being developed. Over the course of the 16 years of the program it has grown beyond looking just for boats in distress to other purposes important to the County/State (e.g., looking for oil spills, photography missions for disaster relief, and so on) so the project size is growing. There are some elements that require human participation. Capt. Blago commented on this being another escalating appropriation; he recommended once again that MAC consider caps. Mr. Hofmeister suggested making a motion for caps; Mr. Davidson suggested the group focus on protecting the waterways and the people on them, noting that this request is certainly part of the MAC mission. Ms. Buck praised the CAP work and motioned to approve (there was some question whether a motion had already been proposed) which passed by unanimous vote.

Next to be considered was Item 20, Friends of Charlotte Harbor Reef Assoc., Donna Ball commenting on the school's request, in particular their success in opening up the program to younger students based on MAC's ongoing help. Chair Ireland asked how many students have gone through the course; Ms. Ball indicated that in 2014 they had 125 students. The Chair also asked about other sources of funds; Ms. Ball indicated that MAC and Fish Florida (license plates) are largest donors. Mr. Hofmeister asked whether their curricula was primarily geared toward fishing or environmental education, noting that the Punta Gorda Isles Fishing Club could help (via member participation) with the fishing education aspect; Ms. Ball responded that their operation would love to have the participation assistance. She noted that their emphasis was really 50/50 on fishing and environmental aspects, particularly ethical angling. Ms. Ball also noted that each student leaves the course with a complete fishing kit. Ms. Buck asked about the cost per student; Ms. Ball quoted it at \$110-120 per student, and in answer to a further question, indicated that there are scholarships available. After brief discussion on student costs, Mr. Hamilton moved approval, second by Capt. Blago; the motion passed unanimously.

Item 23 involved the Peace River Sailing Power Squadron request, Ms. Betty Campanella available to comment; she indicated the request was to cover equipment to replace obsolete equipment which is no longer supported by the manufacturer and is losing data. She also noted that the specific equipment being considered was their team captain's recommendation. Ms. Buck asked, regarding the life vest request, whether they were aware of the Sea Tow program for their honor system life jacket loaner program and whether there was any chance of working with them. This led to a discussion about the differences in working with inflatables vs. non-inflatable life jackets, and what was preferable for this particular group, whose activity including gathering data for NOAA, which requires a lot of mobility. Mr. Rose indicated he would be abstaining from the vote, as did Mr. Ludvig. Mr. Hofmeister motioned approval, **second by ...**, and passed unanimously.

Item 24, proposed by USCG Auxiliary Flotilla 98, involving seminar materials for their Safe Boating course, presented by Mr. Thomas Gramza. There was a brief discussion on who might need to abstain from this vote. Discussion included reference to some recent rumors new boaters have heard about Charlotte Harbor being poor boating conditions; this grant request is to establish a class to assist

these new users in practicing safe boating; in response to a question, Mr. Gramza indicated the course will be held at the Punta Gorda Isles Civic Assoc. building, which the group rents. He noted that the grant request is only for equipment, not for the rental costs. Mr. Hamilton moved approval, second by Mr. Buckley; Ms. Bareither recused herself. The vote to approve was unanimous.

Item 25, proposed by USCG Auxiliary Flotilla 87, concerned a request for the Safe Boating GPS course. Chair Ireland commented that this request had been discussed at Pre-agenda and members wondered if chart reading is included as part of this course. Mr. Dane Hahn, presenting the request, responded that they cover both charts and GPS learning. Chair Ireland asked what the \$4,000 is intended to buy; Mr. Hahn responded that it was for the newest handheld Garmin, as well as textbooks. Further discussion ensued, and Mr. Hahn also indicated that all teachers of the course are volunteers; he also noted that the Fire Department had a plotter that no one knows how to work as an example of the need for the course. Mr. Gertner motioned approval, second by Capt. Blago; Mr. Meckenberg recused himself. The vote passed unanimously.

Presenters then left the meeting room. Chair Ireland commented briefly about the pre-agenda meetings, inviting members to attend every once in a while to contribute to that process.

IX. Old Business

X. Other Business

Ms. Buck commented that she had attended the Beaches and Shores March meeting in her new capacity as liaison between the two groups; she described the long discussion on mooring field and the resulting decision to table it due to anticipated new regulations described by Michael Poff. She recommended that MAC should also table that discussion for the same reason. Mr. Bobko noted that the Parks and Rec Department wants nothing to do with a mooring field, and feels that effort should be put toward legal action against the derelict vessels; Ms. Buck indicated that she agrees, that these are two separate topics.

XI. Citizen Comments

- None offered.

XII. Good of the Order

- Mr. Meckenberg suggested the group add a pre-agenda discussion of funding caps for next month. Chair Ireland agreed they should add this to pre-agenda. Mr. Rose commented that the material for next month should be pared down to essentials, not all the support materials; he noted the Charlotte Harbor CRA material was quite lengthy.

XIII. Next Meetings

- The next Pre-Agenda Meeting will be held Thursday, April 2, 2015 at 9:30 a.m. in B-106.
- The next Regular Meeting will be held Thursday, April 9, 2015 at 9:30 a.m. in Room 119

XIV. Adjournment

On motion made and unanimously accepted, the meeting was adjourned at 11:21 a.m.