

**CHARLOTTE COUNTY
MARINE ADVISORY COMMITTEE**
Charlotte County Administration Center, Room B-106

Minutes
October 8, 2009

MEMBERS PRESENT

Capt. Ron Blago, Chair
Len Harris, Vice Chair
Gerald Meckenberg, Secretary
Richard Anderson
Keith Buechel
John Homer Fleming
Tom Hamilton
William Kumm
Robert Leonard
Raymond Rose
Capt. Maurice Sabourin
Scott Schermerhorn
Mel Staudmyer

MEMBERS EXCUSED

William Bergman
Capt. Jay Buckley
Douglas Donovan
Richard Johnson
Capt. Tim Lynch
Skip Mansfield
Fred Mesler
Anthony Tonz

STAFF

Commissioner Bob Starr
Tara Musselman, Public Works
Bill Byle, Growth Management
Andy Stevens, Natural Resources
Bill Taylor, Budget
Betty Staugler, Env. & Ext. Services
Jane Starr, Recording Secretary

GUESTS

Randy Brodersen, City of Punta Gorda
Troy M. Bettencourt, Punta Gorda Police Dept.
Mary McMurray, FDEP/CHAP
Grace Amodeo, MWWAC
Dick Whitney, BSAC
Jack Landis, BSAC
Bill Dixon

- I. CALL TO ORDER/ROLL CALL/DETERMINATION OF QUORUM**
Chair Blago called the October 8, 2009, **Marine Advisory Committee** meeting to order at 9:34 a.m. noting there was a quorum present.
- II. PLEDGE OF ALLEGIANCE**
Chair Blago offered opening remarks and led the members and audience in reciting The Pledge of Allegiance.
- Chair Blago** announced the agenda would be heard out of order today to meet the needs of staff.

III. APPROVAL OF MINUTES

A motion was presented by **Scott Schermerhorn** and seconded by **Capt. Maurice Sabourin** to accept the September 10, 2009, Marine Advisory Committee minutes as written. A vote was taken and the motion passed unanimously.

Budget Update

Andy Steven announced that the WCIND Board held their Budgetary meeting on September 11, 2009 and stated the 2010 budget and all projects were approved with the exception of the Bay Heights Boat Ramp. They were disqualified because they did not have current permits but would be eligible to reapply if they so desired.

Mr. Stevens advised on the estimated revenue from Charlotte County ad valorem taxes and stated they are expected to be down approximately sixteen – eighteen percent (16-18%). He stated WCIND has not yet reconciled all of the accounts, but he was assured he would be able to provide an exact amount at the next meeting.

Mel Staudmyer inquired further about the disqualification of the Bay Heights Boat Ramp request and felt this should be addressed the next time they come before the Committee. **Chair Blago** asked **Mr. Stevens** to explain what happens to these funds in the interim and was told the money would be returned to WCIND. In answer to a question about holding the money in escrow for Parks and Recreation to use at a later date, **Mr. Stevens** advised this would need to be discussed with Parks and Recreation but added that the projects funded for 2010 were significant without the Bay Heights Boat Ramp project and the exact amount of funds still available will not be known until WCIND reconciles the accounts.

IV. REGULAR BUSINESS

MSBU Update

Tara Musselman provided updates and answered questions regarding the following projects: Alligator Creek, Buena Vista Area Waterways, Gulf Cove Waterways, Harbour Heights, Hayward Canals, Manchester Waterway, Northwest Port Charlotte, Pirate Harbor, Southbridge Waterway, South Gulf Cove, Suncoast Waterway, and Stump Pass.

Commissioner Starr commented on the additional requirements that are being requested by the Department of Environmental Protection and the resulting delay in the Stump Pass Beach Renourishment Project. He suggested members call their local Representatives and voice their concerns.

ACTION: A Motion was presented by Mel Staudmyer and seconded by Tom Hamilton to contact the elected Representatives for Charlotte County to express concerns regarding the additional requirements put forth by the Department of

Environmental Protection resulting in the delay and additional expenses regarding the Stump Pass Beach Renourishment Project. A vote was taken and the motion passed unanimously.

Chair Blago confirmed he would draft a letter in this regard. Discussion continued regarding the actions of the DEP.

Grace Amodeo asked the Committee to explain to Commissioner Starr the importance of the S-Curve for boaters. **Ms. Musselman** responded that this is a good project not only as a safety issue, but also for navigational, and environmental purposes. **Len Harris** commented that it is the natural flow out of the creek when looking at aerial photographs and stated the grass flats from the area called the Skating Rink are creeping out towards where the S-Curve is now. **Chair Blago** felt that a clear, deep, marked channel is necessary if boaters are expected to travel a certain channel instead of causing problems by going across grass flats. He stated this issue has been ongoing for a minimum of twelve (12) years and needs to be completed. **Commissioner Starr** added additional comments and stated he supports this effort.

V. COMMISSIONER COMMENTS

Commissioner Starr provided an update on the dunes at Englewood Beach and stated Parks and Recreation are looking at the possibility of bringing sand in rather than building up the dunes naturally. He will follow up with the County Administrator and anticipates this will be settled soon. He also spoke on the removal of the portable facilities at area boat ramps and said they would be returned if it was determined they are still needed. He added that the only area he has received emails about was the Tom Adams Bridge. **Bob Leonard** felt that it was a mistake to have them removed and commented on the cost and location of a permanent facility that is being built at the Spring Lake launch ramp. **Commissioner Starr** responded that the County wants to provide a level of service for everyone but needs to do so within a budget. He reiterated that the portable facilities will be returned if it is determined they are necessary.

Chair Blago announced that two members from the Beaches and Shores Advisory Committee were in attendance and wished to address the Committee. **Dick Whitney**, Vice-Chairman of the Beaches and Shores Advisory Committee commented on the Stump Pass dredging and stated they are also concerned with the delays imposed by the DEP. He provided information on the Florida Shore and Beach Preservation Association and suggested that Chair Blago consider becoming an individual member of this organization. He explained that an individual membership would provide access to publications and allow Capt. Blago to speak directly to the FSBPA on behalf of the Committee to address concerns on the dredging project. He further discussed the case of *Stop the Beach Renourishment, Inc. vs. The Florida Department of Environmental Protection* that is being heard before the Supreme Court this fall and discussed how the outcome

of this case could affect all future beach renourishment projects in the State of Florida. He provided members with a handout and confirmed the Beaches and Shores Advisory Committee will also be sending a letter to their elected officials. **Mr. Whitney** provided information regarding the cost of membership and stated that additional information could be viewed online at <http://www.fsbpa.com>. He advised that the Beaches and Shores Advisory Committee has endorsed membership in the past and made recommendations to the Commission. The County was a member last year but was not able to renew their membership this year due to budget restraints. He confirmed twenty-seven (27) Florida counties presently belong to this organization.

Supplemental Budget Update

Chair Blago advised of a special request regarding an emergency situation with the City of Punta Gorda. **Troy M. Bettencourt**, Punta Gorda Police Department, presented information on an emergency purchase for a replacement trailer for their 19' Boston Whaler and the subsequent budget request for reimbursement in the amount of \$2,545.00. **Chair Blago** confirmed MAC provided funding for the Whaler and asked **Bill Taylor** to comment on available funds. **Mr. Taylor** confirmed there are funds available for this request. **Chair Blago** felt somewhat duty bound to assist because of promises that were made and overlooked due to staff changes within the County. A discussion ensued.

A motion was presented by Mel Staudmyer and seconded by Richard Anderson to provide funds in the amount of \$2,545.00 for the purchase of a trailer for the Punta Gorda Police Department. Following further discussion, a vote was taken and the motion passed unanimously.

Ray Rose commented that it was his understanding that MAC would not fund any more boats. **Mel Staudmyer** requested **Mr. Bettencourt** to meet with **Mr. Taylor** to discuss the request further. **Chair Blago** reminded everyone that this was an emergency situation and asked that all others who need to request money refer to budget guidelines.

VI. NEW BUSINESS

County Coastal Concerns & Issues – Bill Byle

Chair Blago introduced **Bill Byle** and advised that **Mr. Byle** would be providing an update and answering questions regarding the marine aspect in the revision of the Comprehensive Plan. **Mr. Byle** provided members with a handout and discussed the State Statutes and Rules that advise what a county should address in their Coastal Elements. He advised that, because the Charlotte Harbor Estuary system is so important, it was agreed the Comprehensive Plan should have a stand alone Coastal Element that would allow the County to focus on protecting this invaluable resource. Information was also provided for viewing the Comprehensive Plan Elements online.

(Tara Musselman left the meeting at 10:30am)

Discussion continued regarding Policy 2.1.2 and the creation of a Charlotte Harbor Management Committee. It was confirmed sixty-four percent (64%) of Charlotte Harbor is in Lee County and other projects in neighboring counties that impact Charlotte Harbor were addressed. When asked what they could do to help, **Mr. Byle** stated support of this policy would be appreciated. He felt The Charlotte Harbor Management Committee is needed as there is not presently a regional committee to oversee this resource. He added that this would not be a regulatory or an enforcement committee and would more than likely be an advisory Committee such as the Regional Planning Council. **Richard Anderson** mentioned he had been a member of the Regional Harbor Board which was composed of all counties under the Regional Commission and, although it was very active for a long period of time, it was disbanded. **Mel Staudmyer** advised that he replaced Mr. Anderson on the Regional Harbor Board and stated it became more about land issues than marine issues and was eliminated for that reason. **Mr. Byle** responded that land issues can also be boating issues because everyone lives downstream of someone else and what happens on the land affects our estuaries. It was confirmed that the Coastal Management Element has been completed and suggested that members review it. **Mr. Byle** confirmed there was one (1) policy that will be added concerning a Live-Shelling Ordinance. **Chair Blago** requested **Mr. Byle** advise if the Charlotte Harbor Management Advisory Committee should develop and stated several members have expressed interest in participating. **Commissioner Starr** encouraged members to go online to research the issue and make comments before a final decision is made. **Grace Amodeo** made known that copies of the proposed plan are also available for viewing in all public libraries.

(Bill Byle left the meeting at 10:45)

VII. OLD BUSINESS

Update – Day Docks

Randy Brodersen provided members with an update and advised that the Department of Environmental Protection has advised the City of Punta Gorda that it would not be in their best interest to have both the Mooring Field and the Day Docks heard at the same time. He stated the engineering firm has quoted a cost for two trips to Tallahassee to hear each issue separately and a final decision for moving forward is anticipated soon. **Mr. Brodersen** confirmed to **Chair Blago** that a permit is needed to move forward with the docks, but he did not see any reason why it would be refused.

Chair Blago introduced **Mary McMurray, FDEP**, who provided updates on issues brought forth at the last meeting. **Len Harris** made additional comments and inquired further about the Cease and Desist Order at Riviera Marina. He felt obtaining an overview summary for the plans to correct these problems would be beneficial to the Committee. **Bob Leonard** asked if the Notice and General Permit for the dredging in Lee County had been approved and was told she was

unsure if it was on hold or whether it would be approved twenty-one (21) days from the day it was filed. **Ms. McMurray** confirmed there would be four (4) Pole and Troll Zones. **Mel Staudmyer** inquired when the work would begin for the regional waterways maintenance and was told it is unknown at this time. **Betty Staugler** confirmed it would take place after Lee County is finished but the data has all been collected and the analysis should be starting for that project by the end of the year. **Ms. McMurray** added that she felt it was important that people who know the water best have the most input as to where the zones go.

Update on Mangroves/Hurricane Recovery

Betty Staugler provided information regarding the scallop search project in Lemon Bay and Gasparilla Sound and mentioned an article that appeared in Waterlife magazine. She stated the purpose was to produce data that could be used for yearly comparisons. It was her feeling the project was successful and it is her goal to make this a yearly event. She added that the scallop population in Lemon Bay is being monitored monthly using collection traps. **Chair Blago** commented that by letting people know we have scallops in our area, we are letting them know we have clean water. **Ms. Staugler** agreed and confirmed until now, scallops have not been seen in our local waters in the last 30 years. **Chair Blago** commented on a report he read that made reference to the commercial scallop harvesting in Lemon Bay in the 1950's. **Ms. Staugler** confirmed to **Bob Leonard** that taking scallops is illegal and he stated he would like to see this noted more often in her articles. **Ms. Staugler** stated that after doing this project, she felt educating the public and having them see the scallops and sea grasses firsthand was equally as important of a goal as getting information for research and identifying where there might be potential for restoration efforts. A survey taken at the end of the event indicated a success with this endeavor.

(Commissioner Starr left the meeting at 11:05)

Mangrove Recovery from Hurricane Charley

Ms. Staugler provided an update on mangrove recovery and stated a restoration project in October, 2007 was monitored quarterly for one year with additional monitoring done at the one year point. She confirmed a two year assessment is scheduled for later this month.

Ms. Staugler advised that when the restoration sites were chosen, it was in part due to a survey that was done in 2006 and then modified based on a shoreline condition survey that the National Estuary Program did of the entire study area. She stated the current edition of Harbor Happenings magazine announced that volunteers are being recruited to update the shoreline condition survey. She also advised on two volunteer groups that are doing mangrove restoration.

VIII. OTHER BUSINESS

Membership Appointments

Chair Blago announced that **Richard Anderson**, MAC's longest standing member, has chosen not to renew his membership. **Mr. Anderson** stated circumstances have made it necessary for him to resign and spoke on his accomplishments through the years and the experience he gained from being part of the Committee. **Chair Blago** offered his appreciation on behalf of the Committee for **Mr. Anderson's** service to the people of Charlotte County and **Mr. Anderson** was given a standing ovation. **Mel Staudmyer** offered additional comments and well wishes and **Chair Blago** accepted **Mr. Anderson's** resignation. **Gerald Meckenberg** advised that several candidates who had applied for the last Member-at-Large vacancy would need to be contacted and stated the position would also be advertised. He asked that the names of any other possible candidates be given to the Recording Secretary. **Chair Blago** stated that it is very important that all applications come to a central location to allow time for the Committee to review them and make a recommendation to the Board of County Commissioners.

Mr. Meckenberg discussed the other seats that are up for renewal and confirmed that both he and **Mr. Donovan** have been endorsed by their respective organizations for reappointment. He also announced that he has been informed by **Bill Dixon** that Skip Mansfield will not be seeking reappointment. **Mr. Dixon** advised that the Punta Gorda Sailing Club would be meeting in the next week and would announce their recommendation for Mr. Mansfield's replacement.

Mr. Meckenberg advised that membership terms are reappointed on a rotating basis and the Member List was corrected to reflect seven (7) members renewing their terms each year. **Mr. Meckenberg** requested all future communication be put in writing to provide file documentation and to avoid errors going forward. **Mr. Harris** advised that he spoke with the Commodore of his organization and confirmed he would be seeking reappointment. **Chair Blago** reminded members who represent organizations that it is each member's own responsibility to keep their memberships active and to confirm they have the approval of their sponsoring organization.

Mr. Staudmyer voiced concerns regarding communication that was received from Dan Quick concerning the Coral Creek Bridge in Placida. **Chair Blago** stated he felt Mr. Quick's letter summarized the situation brilliantly and provided members with background information on the issue. He stated it was his understanding the old fishing pier will remain there.

IX. GOOD OF THE ORDER

Chair Blago announced that Ann Dever, Chairman of the Parks and Recreation Advisory Committee passed away unexpectedly. He stated Ms. Dever was an Englewood legend and she would be greatly missed in Charlotte County.

Bob Leonard advised that the Fish and Wildlife Commission has recently passed and will actively enforce a law that makes it illegal to intentionally damage sea grass with boat propellers. He also mentioned a film produced by the Coastal Conservation Association called “*Soft Landings*” and stated he has several copies available that he could provide to any organization that would like one for educational purposes. **Mr. Harris** added that this law became effective on October 1, 2009 and has escalating fines.

X. NEXT MEETING

The next Pre-Agenda Meeting will be held on November 5, 2009, at 9:30a.m., Room B-207. The next regular meeting will be held on Thursday, November 12, 2009, at 9:30a.m., in Room 119.

Grace Amodeo stated she felt this was a wonderful meeting and expressed her gratitude that Commissioner Starr attended.

XI. ADJOURNMENT

There being no further business, the meeting **ADJOURNED** at 11:25a.m.

Respectfully submitted,

Jane Starr

Jane Starr, Recording Secretary

/jms