

MINUTES
CHARLOTTE COUNTY MARINE ADVISORY COMMITTEE
Thursday, November 13, 2014, 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

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

IV. Changes to the Agenda

None

V. Citizen Comments on Agenda Items

None

VI. Commissioner Comments

Commissioner Deutsch received congratulations from Chair Ireland on his re-election, and it was determined that he would continue to serve as the Commission liaison to MAC. Commissioner Deutsch spoke about a field trip organized by the Army Corps which was a boat ride for WCIND members that he missed but which Andy Stevens attended. He also mentioned that there was an effort to move ahead aggressively on Stump Pass. Also, with regard to the Boat Race which was discussed at yesterday's Commission meeting; he noted that he had voted for it originally, at which time his concerns were that the promoter respect the comfort of the residents and that public safety be properly addressed. Commissioner Deutsch said he felt the promoter did address these concerns. That said, at yesterday's Commission meeting the Board voted unanimously to distance itself from Mr. York.

In the meantime, a group associated with the Englewood Chamber is considering taking up the Boat Race and sponsoring it, changing the focus a bit to all-volunteers; this concept is just in the beginning stages. The timing on Palm Sunday weekend is also being reconsidered; most people would prefer a date after Easter, especially since it would be better for local businesses then. The Englewood group is looking at November instead, but there are some difficulties with that because of other super boat races in other venues; additionally, there are veteran's activities in that time slot. Still, the group will be looking for a better date for the next one.

On another subject, Commissioner Deutsch mentioned increased Chadwick Cove activity by law enforcement. Ms. Buck referred to the last meeting's discussion on that area, including the recommendation to send the pump-out boat to the area, and asked if there was any outcome to report on that? The Commissioner indicated that he is still catching up; Ms. Buck noted that the group had concluded it would make the best sense just to sail the boat to the Cove, not trailer it. Mr. Gertner noted that

at the previous meeting it had been determined that the Cove is refuge area rather than an anchorage; he asked what the time limit on a stay in such an area was, and whether that aspect has been addressed. Further discussion ensued on the subject of what boats are still there and which ones have been removed, and the issues about whether any boats there would be considered abandoned vessels.

Chairman Ireland introduced the topic of Herman Novak's resignation and naming a replacement vice-chair; he indicated that Ms. Buck was the selected Committee member for that position. The term length (filling out the remainder of Mr. Novak's term which concludes at the end of December) and the need to submit a letter of recommendation to continue on for the next year of the vice-chair term. At this point, it was mentioned that this "New Business" item had been addressed out of turn, and the group returned to its review of Regular Business items; the minutes having been approved, the MSBU Update was next to be discussed.

VII. Regular Business

- A. Approval of the [Minutes](#) of the Pre-Agenda Meeting from November 6, 2014 – Additions, Corrections or Deletions. – Approved without objection that the minutes be approved as posted.
- B. Approval of the [Minutes](#) of the Regular Meeting from October 9, 2014 – Additions, Corrections or Deletions. Approved without objection that the minutes be approved as posted.
- C. MSBU Update
Mr. Matt Logan offered a brief summary of the items on the monthly report which had been distributed to members along with their agenda packet. A number of projects are stalled, awaiting finalization of permit review. With regard to Edgewater North, a mailing was sent out to assess community support and the result was an overwhelming NO due to the projected expense; the County is considering how to break down the project into units to make it more affordable – breaking it into mini-projects, excluding those areas whose residents are strongly opposed. With regard to the Gulf Cove waterway, discussions are ongoing about making many existing waterways into one channel, rather than dredging 37 waterways separately. Coastal Engineering will do more surveying work and produce a cost analysis for this concept. The Harbour Heights section needs a correction: regarding receipt of permits, strike the information that permits were received in May. In fact, one permit is being held up with National Marine Fisheries, and we are still awaiting that. Also, Mr. Logan is determining whether the mangrove trimming linked to this project can go ahead while we wait. Northwest Port Charlotte channel markers have all been installed according to reports from staff, but Mr. Logan said he has not personally inspected it. Regarding Pirate Harbor, Coastal Engineering met with DEP staff for a site visit to evaluate impacts, and Coastal is now compiling that data. With regard to Stump Pass, the most current update is that Coastal has submitted their formal RAI to the agencies, now awaiting response.
- D. Budget Update – David Johnston reported on the fiscal year closeout and the start of the new year; he noted that there were sufficient WCIND funds to cover carry-over for this year, and to cover FY 15, as well as \$500,000 available for upcoming projects to be submitted in Jan 2015 for FY 2016. At the last meeting, it was agreed to set aside one million dollars for disaster recovery and an additional \$250,000 reserve for contingency. Sufficient funds are available for all existing commitments; additionally we will be returning one-half million dollars to CNIF funds, restricted to navigation projects. Mr. Johnston also noted that by the

end of this month we will have closed out the 2014 projects and two for FY 2015. Capt. Blago questioned the return of funds to CNIF and asked Mr. Johnston to name one or two projects responsible for that return. Mr. Johnson said that if we budgeted more than we used, we have carryover opportunities for multiple years; if not used by the end of three years, the funds go back to CNIF. Capt. Blago clarified that he wants the names of projects that failed, producing the excess funds. Mr. Harris indicated that the Cattle Dock Point project would account for \$200,000; the Harborwalk was also not done, accounting for \$65,000 which was extended for an additional year but will go to CNIF next year if not used. Mr. Johnston confirmed those examples. There was also abandoned vessel money totaling about \$100,000, according to Mr. Johnston. Additionally, about 75 old projects were closed out from FY 2012 through 2014. Chairman Ireland stated that Mr. Johnston is being modest about his efforts, noting that it's been ages since management of these funds has been in such good shape, due primarily to his efforts.

Mr. Harris offered the suggestion that the group should let that money 'sit there' so it could be available for Stump Pass; Commissioner Deutsch indicated there is optimism that we will get additional funding for that. It has been noted that the Army Corps considers this a small project, while for the County, it's big; the State is looking favorably on this project also. Mr. Harris observed that the County did tap into CNIF funds in removing the railway bridge; there is another issue in same area, so we could use those funds again.

Ms. Buck raised another budgeting question, asking Commissioner Deutsch with regard to the super boat races whether he foresees Mr. York coming back to ask for more funds. The Commissioner indicated that he was disappointed with how the funding was handled; the deposit of \$10,000 should be accounted for and returned to the County, plus there are approximately \$50,000 in outstanding bills still to be dealt with. Mr. York met with the Commissioners one on one last week; but there has been no definitive action from the Commission at the meeting this week. He felt that Mr. York has not done the work to obtain sponsorships. Ms. Buck agreed, noting that she was concerned when she saw they had paid themselves salaries; Commissioner Deutsch responded that it was worse than that, that they had paid to put a dog in a kennel for a couple of days. The Commissioner had a unanimous vote that Mr. York broke his contract, based on lack of follow-through on obligations and the irresponsible use of taxpayer money. Ms. Buck asked a question regarding the Englewood meeting, because she had heard that there was a proposal to share this with Sarasota County. Commissioner Deutsch noted that, of course, Englewood is split between the two counties; he mentioned that he would love to see the Sarasota part of Englewood become part of Charlotte and have the City incorporated. Ms. Buck stated that she simply objected to the use of Charlotte tax money in Sarasota. Commissioner Deutsch said that he agreed Charlotte tax money should stay in our county.

VIII. New Business

- a. Herman Novak Resignation – Chairman Ireland reiterated the selection of Ms Buck as the replacement Vice-Chairman and he commented on Novak's resignation.
- b. Tom Hamilton, City of Punta Gorda's choice to be the replacement for Mr. Novak. Chairman Ireland said he did not know Mr. Hamilton, but others who do indicate

he has been associated with MAC before. Mr. Meckenberg noted that the Committee needs to discuss and vote on him; Mr. Hamilton left the room so the members could proceed. Mr. Rose made a motion to accept Mr. Hamilton, second by Mr. Harris, motion carried by a unanimous voice vote. Mr. Hamilton returned to the meeting room and was advised of the vote. Commissioner Deutsch suggested that the nomination come to the Commission Assistants as soon as possible to get on the next agenda.

- c. Update on Bay Heights Project. Chairman Ireland noted that Mr. Andy Stevens was not present. Mr. Tom Henry, Parks Foreman, was present, but was not prepared to comment on the Bay Heights project.
- d. Mary MacMurray, FDEP. Ms. MacMurray reported on a mock snorkel trip, which got excellent feedback from the participants, and they are now investigating getting funding to have someone with a captain's license and who is familiar with the area run the trips. Ms. MacMurray indicated that she wants MAC members to go out on a trip, possibly in March.

Regarding Riveria Marina, Ms. MacMurray noted that there had been a final judgment; the owner will be required to get a state lands lease within a year (he's never had one) but will not be required to move any fill or structures, but he will have to lease the fill areas and because of the lease rate that will be applied, the thinking is that it will be more economical for him to clean it up. Further discussion ensued on this subject; Capt. Blago was trying to figure out the impact of this judgment, which seems toothless.

Ms. MacMurray also mentioned that the bird stakes were removed in Lemon Bay at the requirement of the agency (as part of the Hacienda del Mar mitigation.) Further discussion ensued on points related to the foregoing.

Chairman Ireland confirmed that Mr. Ludvig's paperwork is with the Commission, and he should be a member in good standing by next month.

IX. Old Business

- a. Stump Pass Update – Michael Poff was not present to discuss this matter.
- b. Shrimp Boat – Neither Andy Stevens nor Roger deBruler were present to discuss this matter.
- c. Charlotte Harbor Walk – Debra Forester was not present, having already indicated that she had a scheduling conflict; she submitted a brief written review instead, and had rescheduled her presentation to the December meeting. Commissioner Deutsch noted that the County should be starting work before the end of this year; the work will start on the north side of the Peace River. The Commissioner also mentioned the recent reports of shoaling in Stump Pass.

X. Other Business

David Blair, a sailing volunteer with the YMCA, asked for guidance regarding replacement parts expected to be incurred as part of the substantial repair costs to their fleet. Chairman Ireland commented that the funds being used would be part of the original grant. Mr. Blair clarified that the YMCA sunfish fleet is getting beat up, and they need replacement spars, rudders, masts, booms and the like; the dollar value is between \$5,000 - \$10,000. Mr. Harris commented on the grant awarded earlier of \$5,700 for replacement of motors on boats that got stolen; Mr. Harris asked if the Y got new replacement motors. Mr. Blair responded that they got used

items; Mr. Harris asked for confirmation that MAC funding had paid for those used motors. Mr. Blair indicated that out of the total funds requested, the Y had received about \$1,900 and commented that the request was flawed from the beginning, in that they had no use for a 25HP engine. Mr. Harris responded, noting that being said, in any grant, the grantee only gets what is actually spent out of that request. Further discussion ensued on the particulars of this grant, and the process in general. Mr. Johnston sought to clarify that Mr. Blair is asking for guidelines for future grant applications, and Commissioner Deutsch also noted that the Y did not understand how specific and defined a grant from MAC is, and stated that he has talked to Randy Dunn about this. After further discussion, the suggestion was made that the Y amend their original application.

XI. Citizen Comments

- None offered.

XII. Good of the Order

- Chairman Ireland recognized Sara Buck incoming Vice-Chair. Ms. Buck commented on her selection as Chairman of the Harbor Lighted Boat Parade this Christmas. She noted that questions had been raised about safety, and the group is working closely with various agencies on this. One initiative has been to break up the procession into stages, and to include safety features for crossing harbor at night; there will also be a second staging point, and YMCA Kids will be out before nightfall. She mentioned that the registration materials are available on the Punta Gorda website and she provided further information about the activities that will be offered, including tips on decoration techniques for the boats. She noted that this will be the 25th anniversary of the event, and that she would like to see more boats participate this year; there will be a drone service hired that will take aerial footage of the boats that participate.

XIII. Next Meetings

- The next **Pre-Agenda Meeting** will be held Thursday, December 4, 2014 at **9:30 a.m.** Room B-106.
- The next **Regular Meeting** will be held Thursday, December 11, 2014 at 9:30 a.m. in Room 119
- Chairman Ireland also noted that the January pre-agenda meeting regular date would have been New Year's Day in 2015, so that pre-agenda has been moved to Jan. 6th at the regular time, and the regular meeting will be held on Jan. 8th also at the usual time.

XIV. Adjournment

On motion made and unanimously accepted, the meeting was adjourned at 10:45 a.m.