

**BURNT STORE ISLES
CANAL ADVISORY COMMITTEE
MEETING
JANUARY 12, 2010**

MEMBERS PRESENT: Gary Brewster, Chairman,
Norman Ashworth, Joseph Gil,
Leslie Totten, Frank Wiechec

OTHERS PRESENT: Rick Keeney, Public Works Director

CALL TO ORDER/ANNOUNCEMENTS

- A. Roll Call
- B. Next Scheduled Meeting – Tuesday, February 9, 2010 - 1:30 p.m.

APPROVAL OF MINUTES

- A. Regular Meeting – December 8, 2009
 - Mr. Gil MOVED, Mr. Ashworth SECONDED approval of the December 8, 2009 minutes as amended. MOTION CARRIED UNANIMOUSLY.

CANAL MAINTENANCE MONTHLY REPORTS

- A. Permits Authorized by City Staff – Installation of Docks, Lifts, Outpilings, etc.
 - Mr. Rick Keeney, Director of Public Works, confirmed there were no questions regarding the December 2009 permits. He then displayed an overhead prepared by Mr. Randy Brodersen, Canal Maintenance Supervisor, which reflected 300 feet of seawall failures in Burnt Store Isles (BSI), explaining progress was being made on same.
 - Mr. Brewster commented it had come to his attention a tree had fallen into the hole behind the new seawall in progress on Antalya Court, which had not yet been backfilled, requesting someone address the complaint.
 - Mr. Keeney stated he would have Mr. Brodersen follow up.
 - Mr. Totten questioned if any of the 300 feet identified in the overhead was included in the work report of December 2009.
 - Mr. Keeney replied affirmatively.
- B. Budget Utilization Report
 - Mr. Keeney displayed an overhead of the Budget Utilization Report of December 31, 2009, as delineated in the agenda material. He stated footages and figures were up to date, adding billing was routinely a month behind, as totals had not yet been adjusted.
 - Mr. Brewster stated he was advised by a resident, on December 28, 2009, he had waited until midnight to bring his sailboat into the perimeter canal system through the boat lock by Macedonia Drive, due to timing of the high tide. The resident stated although the tide was high, his boat hit bottom fairly hard. He added after dredging

and high tide, the area in question should have a water depth of seven feet. He mentioned several areas had issues of silt from Richard's Cut filling in dredged areas shortly after dredging, requesting possible studies addressing the issue.

- Mr. Gil stated the issue had been addressed several times in the past, opining the silt could also be coming from areas other than Richard's Cut. He suggested advancing a small amount of money for a professional study of the area to confirm efforts and expenditures would be beneficial.
- Mr. Wiechec pointed out an area of approximately 200 to 300 yards between Richard's Cut and another cut which was extremely shallow on a continual basis, opining silt was coming from both directions.
- Mr. Gil agreed, adding the shoaling in was occurring in several areas.
- Mr. Wiechec asked Mr. Keeney if anything could be done in such a lengthy stretch.
- Mr. Keeney offered two scenarios, either dredge every month, which could be very costly, or have flow studies performed, costing approximately \$25,000 to \$30,000.
- Mr. Brewster stated the Alligator Creek Advisory Committee had a barometric study done, which mapped the bottom of the creek approximately once a year, asking if the City had done similar studies and, if so, at what cost.
- Mr. Gil replied the City did a cross sectional engineering study several years ago, showing the canal bottom, prior to requesting a mangrove trimming permit. He opined dredging more regularly may be less costly.
- Mr. Keeney stated a study would hopefully demonstrate where the silt was coming from, however the solution may be complicated. He reminded the Committee, in the past the Department of Environmental Protection (DEP) instructed the City to install rip rap through Richards Cut, then prior to the removal of the boat lock, required removal of the same rip rap. He noted any changes to the area could be in conflict with current direction from the DEP.
- Mr. Totten questioned if the sailboat possibly hit an object as opposed to the silt bottom.
- Mr. Keeney offered to have Mr. Brodersen meet with Mr. Brewster and detail the area, adding he would ask Mr. Brodersen to contact Charlotte County regarding information they may have of the area and determine a price to obtain a true view of the canal bottom including any visible rocks in or out of the channel.
- Mr. Totten added at low tide on a clear water day, the bottom was easily visible.
- Mr. Wiechec offered to take his boat through the area on a clear water day to see if any rocks or debris were visible.

NEW BUSINESS

- A. Seawall Painting Project – Hold Harmless Agreement
- Mr. Keeney displayed an overhead of the Hold Harmless Agreement form, as delineated in the agenda material. He stated each volunteer wishing to paint no wake signs on the seawalls with paint and stencils supplied by the Canal Maintenance Assessment District (CMAD) would be required to fill out and submit the notarized Hold Harmless form.
 - Mr. Gil asked for clarification of the wording to be used when painting the seawalls, stating the Hold Harmless Agreement form only addressed “No Wake” signs, while some areas were defined as minimum wake on posted signs.
 - Mr. Keeney replied different signs were posted in various locations in accordance with the Manatee Protection Plan, adding painting on the seawalls should reflect the same as signs posted in the canal.
 - Mr. Totten questioned if the City repainted wake signs on new seawalls as they were replaced.
 - Mr. Keeney stated some replacement panels are imprinted with a stencil.

CURRENT BUSINESS

- A. Review / Approve Draft Canal Assessment Fee Letter to City Council
- Mr. Brewster summarized the subject letter, as delineated in the agenda material, inviting comments and input from Committee members.
 - Mr. Ashworth suggested rewording the last paragraph of the letter to defer any recommendations regarding condominium assessments until the PGI CAC has decided on their recommendation for Council. He explained this would leave the option to revisit as opposed to deferring any recommendations to the PGI CAC.
 - Mr. Wiechec questioned Mr. Keeney as to the reasoning behind the newspaper’s recent advertisement of the upcoming PGI CAC meeting.
 - Mr. Keeney replied the article was run in an attempt to get more input from citizens at the upcoming PGI CAC meeting on January 21, 2009, before finalizing their recommendations.
 - Mr. Brewster asked if the direction the BSI CAC recommendation was going was mentioned at their December 2009 PGI CAC meeting.
 - Mr. Keeney replied affirmatively, stating he would display the revised letter on the overhead at the January 21, 2009 PGI CAC meeting and would like to include the letter in the agenda packet if submitted in time.
 - Mr. Totten MOVED, Mr. Wiechec SECONDED to adopt and send the recommendation letter to City Council as amended. MOTION CARRIED UNANIMOUSLY.

MEMBER COMMENTS

- Mr. Keeney displayed a photograph of a chain with reflectors and no trespassing signs stretching across the canal in BSI, as denoted in the agenda material. He stated Mr. Gil had been monitoring the area after complaints were received of a potentially dangerous situation.
- Mr. Gil stated originally the chain went up with a no trespass sign and a green sign.
- Mr. Wiechek questioned the location.
- Mr. Gil replied it was an illegal cut-through to Alligator Creek created by people chopping through the mangroves with chainsaws and axe's, resulting in an opening wide enough for a 24 foot boat to pass through. He stated he originally approached the City asking what could be done to prohibit use of the illegal cut and was told the City would refer the issue to the Department of Environmental Protection (DEP) due to the area not being City property.
- Mr. Keeney confirmed that was the case.
- Mr. Gil advised shortly afterward a DEP agent came to his house asking for the location of the site in question, adding within a few days the chain was erected with two signs attached. He stated after safety concerns were raised, Charlotte County was contacted asking if something could be done to make the barrier more visible, resulting in the County adding reflectors to the chain.
- Mr. Brewster stated he received a letter from a resident stating he could no longer kayak through the area, opining pilings such as the ones at Richard's Cut would be just as effective and still accessible by kayaks.
- Mr. Keeney advised a representative from the DEP stated they did not want boating in the cut to allow re-growth of the mangroves. He then informed the Committee, Public Works would be moving into their new facility the following week and hoped to be fully operational within two months.

ADJOURNMENT

- Meeting Adjourned: 2:22

Gary Brewster, Chairman

Perri Turner, Recording Secretary