

**Board Meeting Minutes
of the Regular Meeting of the
Captiva Erosion Prevention District**
South Seas Island Resort, Alpha Cone Room
April 8, 2019 @ 1:00 P.M.

Commissioners Present: Mike Mullins, Chair; Michael Lanigan, Vice Chair; Harry Kaiser, Secretary; Bob Walter, Treasurer; and Dave Jensen, Commissioner.

Staff Present: Carolyn Weaver, Administrator; Joe Wagenti, Deputy Administrator; Hans Wilson, Hans Wilson and Associates.

1. Call to Order
Chair Mike Mullins called the meeting to order at 1:00 P.M.
2. Roll Call
The chair called the roll and the outline is listed above.
3. Approval of Meeting Minutes:
 - a. March 11, 2019 Regular Meeting Minutes
 - b. March 21, 2019 Briefing Meeting Minutes
 - c. March 28, 2019 Briefing Meeting Minutes

Chairman Mullins thanked South Seas and Commissioner Walker for hosting the meeting and mentioned there are a few issues about distributing minutes and that the board should approve minutes first before distribution. He would like a way to edit draft minutes easier. CEPD staff will work on a better method.

Commissioner Kaiser moved to approve and Commissioner Jensen seconded a motion to approve the minutes listed above with changes discussed. Motion rescinded. Minutes will be brought to the May meeting with updates.

4. Public Comments

Tom Markle (Sunset Captiva Bayside - a separate association from Sunset Captiva) asked if we have time to discuss the formulas for the assessment since the initial apportionment was up 500% from the last time.

Chairman Mullins proposed that the Board will finalize the tentative apportionment closer to late fall and will have a public hearing. The board does not accept the current apportionment. He then went on to explain the process and how the Board will make its recommendation.

Commissioner Kaiser asked if the Board would offer the public a timeline on the final amounts. A tentative timeline was discussed and will be firmed up in the fall.

Dave Saunders (also lives in Sunset Captiva Bayside) discussed the previous apportionment versus the current tentative apportionment. He had questions about his property and Jensen's on the Gulf, comparing the apportionments. Chairman Mullins explained that again, these issues are premature and will be addressed this summer.

Commissioner Jensen asked if we can, in future meetings, concentrate on one issue at a time regarding the apportionment. Chairman Mullins thought this was a good idea.

Joel Caouette, City of Sanibel, provided an update on the erosion taking place on San Cap Road. He reported that their engineers, Humiston and Moore, are working on the permitting for the additional riprap and revetment. Meetings in Tallahassee seemed to go well, and the emergent issue was discussed. Jame Evans is aware of the issue, they are working on the problem and feel confident the road will not erode. Chairman Mullins and Mr. Wilson discussed details of previous revetment projects on Sanibel. When they get the sand placement, there will be a restoration project also. It has been reported that the road is currently 13 feet from the road.

5. Financial Report

a) Budget Performance Ending March 31, 2019

Commissioner Walter reported March is 24% over budget, and year-to-date is running 18% over the current budget, which will create a \$70,000 excess if we stay at this rate. He requested the financials be sent to him as soon as CEPD receives them.

6. Old Business

a) Beach Vehicle SOPs

Ms. Weaver received the suggested changes from SCCF, most of which have been incorporate. The only major change is that while the CEPD agrees to change from thrice weekly maintenance, the monthly maintenance suggested by SCCF is not sufficient. The SOP will be updated to read "no more than necessary." Additionally, signs for the John Deere have been ordered clearly showing the vehicle is CEPD.

Ms. Weaver requested a motion to approve the Official Beach Conduct and Beach Vehicle Usage SOPs, keeping in mind the SOPs are living documents, meaning they are changed and updated as needed. Commissioner Kaiser made the motion, and Chairman Mullins seconded. Discussion was held and Chairman Mullins discussed welcoming feedback about the beach from the public. Absent the feedback, we will need to go out and check the beach for necessary maintenance, checking dune grass, etc. Call for the vote was made and the motion passed unanimously.

b) FY17-18 Financial Audit – Updated Draft

Commissioner Walter is recommending the board approve the draft audit. Ms. Weaver confirmed the sand cubic yard total and the money received from the DEP and Lee County were included.

Commissioner Walter made the motion to accept the draft annual audit for fiscal year 2017-2018. Chairman Mullins seconded the motion, which passed unanimously.

Commissioner Walter stated the audit will be filed before June, as required. Ms. Weaver will inform Daniel Anderson with Mauldin & Jenkins of the approval, so the final can be created and submitted online.

c) Turner Beach Permitting

Ms. Weaver stated that CEPD has been requested to approve the work at Turner Beach. She introduced Jerry Herget with Coastal Engineering Consultants, who provided a presentation on the project (which will be distributed to the Board). Mr. Herget explained there are two main issues; the erosion in the parking lot and the rip rap along the shoreline.

Regarding the erosion in the parking lot, the current system allows water from bridge to the road then to the parking lot. There is a problem with the jersey barriers that causes this problem. Coastal Engineering has proposed several solutions for the storm water to restore the area to its originally permitted plan. They are not addressing anything on the bay side of the pass (Chairman Mullins asked Ms. Weaver to reach out to the DOT regarding the issues on the bay side).

Regarding the rip rap, the dune extension permit has been approved by the DEP. The parking spaces will remain the same.

Coastal Engineering, on behalf of the City of Sanibel, is asking the CEPD for a letter of support for their project. Ms. Weaver read an email from APTIM with their opinion on the project, which is that it will not interfere with our upcoming renourishment. Chairman Mullins asked for a motion. Commissioner Jensen made the motion and Chairman Mullins seconded. Discussion was held. Commissioner Lanigan brought up concern on the amount of trash that is in this area due to the fisherman on the bridge. Chairman Mullins asked to share the link (containing all documents) to all commissioners. The motion was passed unanimously. (Commissioner Walter had stepped out and was not present for the vote.) Ms. Weaver will create a letter of support, get it signed and send it.

d) Parking Lot Survey

Mr. Wagenti reported on the land survey on Alison Hagerup Parking area. We have a 2012 survey and are meeting with the county tomorrow to discuss permitting.

e) Website Redesign

Ms. Weaver discussed our goal to have the new website live by our 60th anniversary. Mr. Wagenti reported he met with a website design company last week and gave them our specifications to get an updated bid (Connect SWFL). Staff will confirm whether this already has Board approval, and if not will add it to the May agenda. Input from all will be received once we have a design concept, confirming we (CEPD) will have the ability to update the website easily. Discussion was also held regarding the public being able to access the apportionment online by address, name, map, etc. Mr. Wagenti believes we will have a schedule by late next week.

f) Referendum Next Steps

a. Federal funding issues – US Army Corp of Engineers

Ms. Weaver gave an update on her conversation with Laurel Riechold of USCOE (Army Corps of Engineers) and what requirements are needed to get federal funding. The USCOE's maximum rate to fund a project is 65%. A public access point is needed every ½ mile. The USCOE defines "public" as someone who can come in for the day and have access to the beach, not someone staying at a hotel. The USCOE also investigates parcel

by parcel to ascertain commercial, developed, undeveloped, county land, etc., and this will determine what easements are necessary moving forward.

Steps to consider are to find the records from 1988 to confirm who paid for the private land nourishment in that first project. If we can show the non-federal funds were used to pay for the sand, then they may not need the easements. Commissioner Jensen said this is the first it has been stated this way, and it is interesting. Mr. Wilson reported it's the first he heard it separated this way. Ms. Weaver is going to send her notes back to Ms. Riechold for confirmation of her understanding of the issues.

Chairman Mullins requests something in writing and to reach out to elected officials to get clarification and support.

Ms. Weaver will investigate other public access areas in Captiva. She discussed the public renting daily space at Tween Waters and there are also other public accesses (Andy Rosse Lane and Laika Lane) that may be explorable.

Commissioner Kaiser stressed that we need to keep in contact with Jackie Kaiser of USCOE and as well with Ms. Riechold. Commissioner Mullins discussed that we need to confirm the risk to reward ratio for having USCOE involved.

For clarification, the project is authorized; the funding is not authorized. Chairman Mullins wants CEPD staff to reach out to APTIM on how we can gather documentation for USCOE support, and how can APTIM help us with the federal funding.

Chairman Mullins also discussed the benefits-based methodology requirement to be used in order to use federal funding. Ms. Weaver asked Ms. Riechold specifically, and was told that we can use ad valorem as long as we have the methodology in place that supports the benefits-based methodology.

Ms. Weaver will invite Laurel Reinhold to our June meeting.

b. Tentative Apportionment Adjustment Update

Chairman Mullins would like to ask for a motion that we target a timeframe in the fall to accepted the revised tentative apportionment. Commissioner Walter would like the public hearings when the majority of people are back, after Thanksgiving. Commissioner Jensen suggested January if it isn't too late. Chairman Mullins wants the staff to check with APTIM that we aren't causing delays. He also wants to have a finalized timeline before our June meeting. Additionally, we have the approval from the voters to borrow the money; we need to talk to the institutions about when we get the funding. We need APTIM to work with us about when they need money, etc. He suggested we check with Nancy Stroud to confirm we don't need a final updated apportionment before we go to get the funds.

Commissioner Mullins asked for a motion that the Board accept the tentative apportionment in sufficient time to schedule a public hearing in January 2020 time frame. Commissioner Kaiser made the motion and Chairman Mullins seconded. The motion passed unanimously.

7. New Business

a) Monday.com

Ms. Weaver reported the CEPD is implementing an online project management software system. Mr. Wagenti has experience in this program. This program allows 5 users, so the Board can have access to the program. It was approximately \$450/year.

Discussion was held regarding the timeline will be created and converted to Monday.com. Mr. Wagenti has the parking lot project in Monday.com already. As we get new projects, they get added directly into Monday.com. Our goal is by the next meeting, the nourishment project be added. Annual deadlines for TRIM, Annual Audit, etc., be added. Tentative Apportionment can be added, also. The other elements of the project is the APTIM data in the timeline. That could be Phase II.

Commissioner Walter asked that the boards priorities are the same. If we are looking for the critical path for the renourishment. A great deal of time has been put into the spreadsheet.

Chairman Mullins shared that Mr. Wagenti's skills are very helpful for our timeline, our spreadsheets., etc. He is very pleased that we have Mr. Wagenti on board. Commissioner Kaiser expressed his agreement.

b) NextCloud

Mr. Wagenti reported the CEPD is implementing an online file storage system to have one place where we can all access our documents. This is \$300/year. Everyone will have their own account, and they will have varying levels of access (review, view only, etc.). This can track everyone's changes in one document.

Commissioner Walter requested a more administrative approach to communications, such as here's what we found out, here's why we found it, and here's what we need. That would help him. Currently, we just get information. He asked Hans Wilson for his input, and Mr. Wilson explained the Lee County Blue Sheet system. Chairman Mullins calls this an executive summary.

Commissioner Lanigan would like access to the audio for the meetings, especially when comparing to the minutes. The audio will be placed in NextCloud.

We are reviewing the best way to keep these documents organized. The process has to be designed to keep documents safe from unauthorized usage. This includes a centralized naming process of who, what, when. Mr. Wagenti will give a 5 minutes presentation at the May meeting.

8. Administrator's Report

a) FEMA DAC Funds

Ms. Weaver reported that she and Commissioner Jensen met with the FEMA representative regarding the administrative costs related to Hurricane IRMA, \$56,492, is being released to the state and upon approval then released to the CEPD. Commissioner Lanigan asked if it is possible to review the past communications regarding this issue. Ms. Weaver reported that it would be by going online or reviewing her emails. Also, the FEMA online system tracks every conversation and update.

Chairman Mullins discussed the possibility of using the FEMA money on the renourishment project prior to the renourishment being completed. He suggests we talk with APTIM about those costs. Ms. Weaver will research the details on time usage.

b) John Deere Issues

Ms. Weaver explained there are issues surrounding the driving of the beach vehicle on the road. Sherriff Sawicki said he has been getting complaints about the vehicle being on the road. The vehicle will limit its road use to Andy Rosse Land. CEPD is getting better signage for the vehicle. Commissioner Walter shared his experience with this issue; it is not a street legal vehicle, and there are other Captivans who want to use their similar vehicles, and everyone must be treated equally.

c) Accountant RFP

Ms. Weaver reported the staff would like to put together an RFP for a new accounting firm. Commissioner Walter and Chairman Mullins both agree that it is time and staff was advised to proceed.

d) Office Keys

Because a commissioner had requested a key to the office, keys were made for each commissioner. Chairman Mullins suggested we research an internet-based lock system (wink.com or similar) so we can allow and track entry and exit.

9. Commissioner Comments

Commissioner Jensen would like a pointer brought to the meeting. He would also like staff to plan a 60th anniversary party in the fall, after Thanksgiving. We have a reason to celebrate and we should do this when most Captivans are here.

Commissioner Kaiser wants to address the emails regarding him and the Gulfway properties. He stressed that there is no secret concerning this issue and would like to have discussions with the owners on the 40' access way. He also believes there are beach accesses about every 5 houses, the details of which are listed in the deed of the houses.

Commissioner Walter has no comments.

Commissioner Lanigan questioned whether there is beach access every 5 houses. He also stated his concern about the location of the sand that we are going to use for the renourishment. Do we have any flexibility on the borrow site?

Chairman Mullins discussed a call he received about the Gulfway access; people are objecting to Bill Stronge's view point and we will refine our approach on this subject moving forward. He suggests the staff look into a 3rd party property appraiser for the Gulf Way right of way property. He also stated he understands the concern on the quality of the sand. He believes we should ask APTIM to help explain the reasons behind their choice of borrow location and sand makeup.

There being no further business, the meeting was adjourned at 3:13 p.m.