

Minutes

**Regular Meeting of the
Captiva Erosion Prevention District**
15951 Captiva Drive, Captiva, Florida 33924
June 15, 2011 @ Noon
As Amended at the August 10 Board Meeting

Commissioners Present: Mike Mullins (Chairman); Dave Jensen (Treasurer); Harry Kaiser (Secretary).

Absent: Doris Holzheimer (Vice Chair)—excused; Rene Miville, resigned May 17, 2011.

Consultants Present: Kathleen Rooker (CEPD Senior Administrative Consultant); John Bralove (CEPD Administrative Consultant).

1. Call to Order

The meeting was called to order by Commissioner Mullins at 12:03 p.m.

2. Roll Call

The roll was called and the results are outlined above

3. Approval of May Minutes

Mr. Kaiser moved and Mr. Jensen seconded a motion to dispense with the reading of the minutes from the May 11, 2011 meeting and approve them. The motion passed without dissent. The approval of the June 8 Preliminary Budget Workshop minutes was deferred.

4. Public to Be Heard

None

Mr. Mullins then skipped to Agenda Items 8(a) and 8(b)

8. New Business

(a) Rene Miville Resignation Letter

Mr. Mullins announced that Mr. Miville's letter of resignation, which appears on Page 21 of the Agenda Materials, had been accepted.

(b) Appointment to CEPD Board of Commissioners Seat #2

Mr. Kaiser moved and Mr. Jensen seconded to approve Resolution #2011-3 dated June 15, 2011, naming Jim Boyle to fill the unexpired term of Rene Miville for Seat 2 on the Board of Commissioners. The motion passed unanimously and Mr. Boyle took his seat at the table in keeping with the resolution that states that the resolution becomes effective immediately.

5. Financial Report

Mr. Jensen presented the financial report, reminding the Commissioners that the data they were reviewing was as of April 30, 2011. He also presented information on actual and projected parking lot revenues and tickets sales. Although ticket sales are projected to be down 3.7% from the previous year, revenues are forecast to surpass last year by 6.1%. Mr. Kaiser mentioned that when the opportunity to acquire the parking concession at Turner Beach presents itself, CEPD should take it. Mr. Mullins talked about his discussions with Ding Darling about erecting wildlife information signs around Captiva.

6. Report of the Senior Administrative Consultant

(a) Annual Financial Disclosure Reminder

Ms. Rooker reminded Commissioners that their Annual Financial Disclosure Statements needed to be filed with the Supervisor of Elections by July 1. She also mentioned that Mr. Miville needs to file with the same agency a close-out report and she will advise Mr. Miville of this.

(b) Project Reconciliation Update

Ms. Rooker reported that she was travelling to Tallahassee next week to meet with the DEP. Mr. Keehn of CP&E will also attend. She has prepared an agenda for two meetings to be held on June 22 with topics to include a request for a timeline to complete the reconciliation, a new grant for the new nourishment project, and technical issues that the DEP might have regarding the next project. Mr. Boyle asked questions regarding the sand borrow area and whether CEPD had exclusive rights to the ones for which it had permits. He was told that the rights were not exclusive and that others could take from those areas. By the same token, CEPD could take sand from other's borrow areas if it wished. Mr. Mullins commented that the biggest threat to sand borrow areas was drilling.

The conversation then turned to the meeting that was scheduled for yesterday between CEPD and Lee County officials that was cancelled. Mr. Mullins explained that since Lee County Board of Commissioner Manning could only be at the meeting for a half hour, there was no sense in squeezing the items on the agenda into such a short time period. The meeting will be rescheduled in August or September when all participants have more time. Mr. Mullins also reported the CEPD is planning to send a letter drafted by the CEPD attorney stating that CEPD considers the 2006 project closed and all obligations met. If Lee County had questions, objections, or exceptions, they should be put in writing. He also mentioned that CEPD was going to make an official public records request to receive an accounting of past TDC beach nourishment funding in this same letter.

7. Old Business

None

8. New Business

(c) Resolution 2011-4 (DEP FY 2012-13 Local Government Funding Request Support)

Mr. Jensen moved and Mr. Boyle seconded a motion to approve Resolution #2011-4, dated June 15, 2011, requesting that the Florida Department of Environmental Protection, Bureau of Beaches

and Coastal Systems, approve the Long Range Beach Erosion Control Budget Plan for the Captiva Erosion Prevention District and its identified projects for the purpose of instituting state-supported beach erosion control projects within the Captiva Erosion Prevention District. During discussion, it was explained that CEPD was filing this resolution separately from Lee County's resolution to better communicate the Captiva community's seriousness and dedication to this project. The motion passed unanimously.

(d) Report from the Preliminary Budget Workshop (June 8)

Ms. Rooker referred to Page 8 of the Agenda Materials and the preliminary budget information that followed and that is was for discussion purposes only. She explained that two scenarios were shown, one showing \$50,000 in reserves and one showing \$75,000. The Board reached consensus to approve a tentative budget that included \$75,000 in reserves. Mr. Mullins explained the budget process and reviewed what was done last year. He recommended that higher budget because once the millage rate has been passed, it cannot be increased. Ms. Rooker explained that once the total of final appraisals was submitted by the Lee County Tax Appraiser on July 1, the numbers will be more firm. Mr. Mullins talked about how CEPD will have restored more than \$300,000 in reserves by the end of this fiscal year since it used \$1 million to reduce the costs to taxpayers in 2007. He also said that banks are paying very low interest rates and CEPD will explore higher rates of return in its investments in the future without adding additional risk.

(e) Report from the Captiva Businesses Meeting (May 25)

Mr. Jensen reported that members of the business community who attended this meeting wanted to specifically address the bed tax issue when they met with Lee County officials and how little Captiva was getting back. He also asked what the follow up to this meeting was. Mr. Mullins suggested that there should be another meeting with them in August. Mr. Boyle asked whether the Sanibel-Captiva Chamber of Commerce would be of help and was told that the organization represented Sanibel more than it did Captiva. There was also discussion led by Mr. Mullins as to whether CEPD can assess County and other institutional property as well as receive TDC grant money.

9. Commissioner Comments

Mr. Mullins reported on his efforts to acquire and place a "Welcome to Captiva" sign.

Mr. Mullins reported on the beach destruction incident that occurred at Turner Beach two weeks ago and his efforts to both alert various agencies on the island to the incident and more permanently limit vehicle beach access at Turner Beach except to those who have legitimate need for access such as the Fire Department or Turtle Nesting Monitoring staff.

Mr. Kaiser asked about the retail store on Andy Rosse Lane – Yolo. He continues to hear complaints that they are improperly using or monopolizing the area of the beach near their store. Mr. Mullins asked Ms. Rooker to meet with the operator of Yolo to find out what his legal authorization is and to convey the complaints received. Mr. Mullins reminded the Commissioners that CEPD had been contacted by Lee County Parks and Recreation regarding its point of view about permits for such businesses. Mr. Jensen mentioned that in a somewhat analogous situation, he pays Submerged Land fees. Mr. Mullins asked Mr. Jensen to provide

him with information on Submerged Land fees that he might formulate a recommendation or plan to the Commissioners.

10. Adjournment

The meeting was adjourned at 1:35 p.m.