

## Captiva Erosion Prevention District Board Meeting Minutes

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May 11, 2026

**Time:** 1:00 p.m.

**Location:** CEPD Office / Hybrid Meeting

**Commissioners Present:**

- Bob Walter, Chair
- Tim McGowan, Vice Chair
- Bernie Dupre, Treasurer/Secretary
- John Wade (remote)
- Rene Miville (remote)

**Staff Present:**

- Brighton Heard, General Manager
- Lisa Batchelor, Office Manager

**Others Present:**

- Doug Mann, APTIM
- Evan Cutler
- Nick Matthews
- Members of the public

### 1. Call to Order / Remote Attendance / Roll Call

The meeting was called to order at approximately 1:00 p.m. A motion was made and seconded to allow Commissioners Wade and Miville to participate remotely. The motion carried unanimously. Roll was taken, and it was noted that all five Commissioners were present, with Commissioners Wade and Miville attending remotely.

### 2. Approval of Meeting Minutes

The Board considered approval of prior meeting minutes separately.

- The March 9, 2026 Board Meeting minutes were approved as written.
- The April 17, 2026 Workshop Meeting minutes were approved as written.
- The May 7, 2026 Workshop Meeting minutes were approved as written.

### 3. Agenda Review

No changes to the agenda were requested or made.

### 4. Chairman's Update: Lee County Commissioner Meetings

Chair Walter reported that meetings had begun with Lee County Commissioners to discuss CEPD, beach funding, public access, parking, and improved intergovernmental communication. He stated that the meetings held to date had been productive and that additional meetings with County Commissioners were scheduled for later in the week.

The Board discussed the importance of presenting the District's funding challenges clearly, including the District's lack of FEMA reimbursement eligibility while still being treated as an authorized U.S. Army Corps of Engineers project. Commissioners also discussed the need to develop and present a specific funding request to Lee County, including consideration of prior County contributions and the financial impact on Captiva taxpayers.

Commissioner Dupre noted that the initial meetings were intended to build rapport, explain the District's situation, and establish a foundation before returning with a more specific funding request.

**Direction given:**

- Staff and Commissioners will continue meeting with Lee County Commissioners.

- The District will continue refining a specific funding request and supporting talking points for County consideration.
- The Board will consider seeking placement on a future Board of County Commissioners agenda to present the District's funding needs publicly.

## 5. Treasurer's Update / County Interlocal Agreement Discussion

Commissioner Dupre reported that the District had reinvested short-term notes for an additional 90 days based on portfolio guidance and that staff were continuing to improve presentation of the District's combined balance sheet and financial reporting.

Discussion followed regarding the Lee County Interlocal Agreement reimbursement process.

Commissioner Miville raised concerns regarding the timing of the District's reimbursement request and the potential interest impact of delay. Staff explained that the County reimbursement request is not a simple form submission, but requires a complete package of invoices, payment records, construction documentation, post-construction documentation, and calculation of the local share after other grants and reimbursements are resolved.

The Board discussed the estimated County reimbursement amount, the relationship between County funding and other grants, and the need to determine any additional County support before finalizing the assessment calculations.

### Direction given:

- Staff will continue preparing the County reimbursement package and coordinating with Lee County to ensure that the submission is complete and accurate.
- The District will continue working to identify the final local-share amount and any additional County funding that may affect the final apportionment.

## 6. Administrative Update

Mr. Heard reported that Nicole Sharp is no longer with APTIM and that Doug Mann has stepped in to assume responsibility for APTIM's work with the District. Mr. Mann was invited to introduce himself later in the meeting.

### Final Apportionment

Mr. Heard reported that he had spoken with several professional economists and other qualified professionals regarding review and certification of the final apportionment. He stated that proposals had been received and that staff were working toward having the final apportionment ready for Board review by the June meeting.

The Board discussed whether the work requires an economist, CPA, or other professional to review and certify the updated apportionment, and whether the historical methodology should be retained rather than redesigned. Staff explained that the primary internal work involves updating property values, homestead exemption information, and other data, with an outside professional reviewing and certifying the work. No firm was authorized at this meeting.

### Direction given:

- Staff will continue updating the apportionment data internally.
- Additional proposals will be collected and provided to the Board for review.
- The Board may hold a workshop or special meeting to review the proposals and determine the appropriate professional to retain.

### Beach Villas Ropes and Bollards

Mr. Heard reported that representatives of Beach Villas, located north of the Alison Hagerup parking lot, requested installation of ropes and bollards to discourage pedestrians from crossing the dunes from the public beach area onto private property. Mr. Heard stated that Bob Johnson provided an estimate of approximately \$4,500 for the requested installation in the first Beach Villas section.

Following discussion, a motion was made and seconded to authorize installation of ropes and bollards at Beach Villas, consistent with similar installations elsewhere, at an estimated cost of approximately \$4,500. The motion carried unanimously.

Gregg Fergus commented that ropes and bollards may also be needed on the street side of the dune in some locations to discourage pedestrian crossings from both directions. The Board acknowledged the comment for future consideration.

### **Sand Accumulation Along Captiva Drive**

Mr. Heard reported that David Mintz had raised concerns regarding sand accumulation along Captiva Drive between Tween Waters and Jensen's curve. The Board discussed whether the District could develop a maintenance approach, potentially through Bob Johnson, to periodically clear or blow sand from that area and similar locations such as the end of Andy Rosse Lane.

#### **Direction given:**

- Staff will request a proposal from Bob Johnson or another appropriate contractor for sand maintenance and bring the proposal back to the Board for consideration.

### **7. Old Business: Emergency Fund / Revolving Line of Credit**

Mr. Heard reported that he had discussed the possibility of establishing a revolving line of credit or similar emergency funding mechanism with Regions Bank. Regions indicated support for the concept but requested that the process be driven by bond counsel to confirm legality and compliance with applicable financing requirements.

Mr. Heard stated that bond counsel initially expressed concern that the structure may not be permissible, but agreed to review the issue further and provide a written response.

#### **Direction given:**

- Staff will continue working with Regions Bank and bond counsel and will provide the Board with counsel's written response when received.

### **8. Legislative / Lobbying Update**

Nick Matthews provided a brief legislative update. He reported that the Florida Legislature was returning to special session to complete the state budget and that statewide beach funding was expected to be at least approximately \$50 million, with the District's dune biodiversification appropriation still under consideration.

Mr. Matthews recommended that the District consider asking a friendly County Commissioner to place CEPD on a future Board of County Commissioners agenda so the District can present its history, current funding position, and specific request to the full County Commission and administration.

#### **Direction given:**

- The District will consider pursuing a formal presentation to the Lee County Board of County Commissioners as part of its County funding strategy.

### **9. APTIM Update**

Doug Mann introduced himself to the Board and stated that he would be assisting with APTIM's responsibilities for the District following Nicole Sharp's departure. Mr. Mann described his long history with Coastal Planning and Engineering/APTIM and his prior experience with Captiva beach projects, including work dating back to the 1980s and later terminal groin and federal project-related work.

The Board welcomed Mr. Mann and noted appreciation for his assistance going forward.

### **10. Evan Cutler Update / U.S. Army Corps of Engineers Records**

Evan Cutler provided an update on several matters. He reported that the Manson Construction public records request had been completed and that billable time associated with that request was

approximately 7.5 hours. He also discussed the final apportionment assistance process and the requests for proposals he had prepared or modified as the District evaluated whether the certification work could be completed more cost-effectively.

Mr. Cutler reported that the U.S. Army Corps of Engineers had confirmed that rolling production of records responsive to five Freedom of Information Act requests was expected to begin on or about May 15, 2026. He stated that the requests relate to historic 1987-1988 and subsequent federal participation and reimbursement history, which may be useful in evaluating whether the District can seek future federal reimbursement or comparable treatment.

Mr. Cutler also discussed potential future work, including review of the Corps records once received, possible additional FOIA requests related to the 1996 project, assistance with Army Corps certification issues, final apportionment support, technical support, and development of standard operating procedures or critical-path documentation for future projects.

Commissioner Miville began to make a motion regarding continued use of Mr. Cutler for Army Corps-related work and other assignments. Following discussion, the motion was rescinded. The Board discussed the importance of defining Mr. Cutler's role, scope of work, and budgetary impact.

**Direction given:**

- The General Manager will prepare information for the Board regarding Mr. Cutler's current role, scope of work, budgetary allocation, and potential future use by the District.
- Mr. Cutler will continue work only as directed through the General Manager and within authorized scope.

**11. General Manager Performance Review / Contract and Compensation Discussion**

Mr. Heard presented a memorandum summarizing his major accomplishments and contributions during his first year with the District. He stated that he believed his compensation should be reviewed in light of the scope, complexity, responsibility, time demands, and housing cost associated with the General Manager position.

The Board discussed the General Manager's current salary, housing stipend, whether living on island was a requirement or preference, and the need to address the position's duties, expectations, compensation, and contract renewal in a structured manner.

A motion was made and seconded to continue the General Manager performance review, compensation, duties, and position requirements discussion to the next meeting. Following discussion, Chair Walter stated that he would meet with Mr. Heard before the next meeting to better understand the request and would circulate discussion points individually to each Commissioner before the matter returns to the Board. No compensation change was approved at this meeting.

**12. New Business**

No new business was taken up.

**13. Public Comment**

No additional public comment was received during the public comment portion of the meeting.

**14. Commissioner Comments**

Commissioner Miville commented on the General Manager compensation discussion and stated that the Board should consider comparable public-sector salaries when evaluating any compensation adjustment.

Commissioner Wade commented on the cancellation of the prior month's regular meeting, meeting scheduling, quorum procedures, and communication with Commissioners. Commissioner Wade stated that, where possible, the District should avoid canceling meetings and should consider holding informational meetings when a quorum is not available, while recognizing that no formal action could be taken without a quorum.

Discussion followed regarding Commissioner availability, physical quorum requirements, remote participation, and the importance of clear and timely communication regarding meeting attendance. No formal action was taken.

### **15. Adjournment**

A motion to adjourn was made and seconded. The motion carried, and the meeting adjourned at approximately 2:42 p.m.