



Captiva Erosion Prevention District  
November Board Meeting  
Monday, November 8<sup>th</sup>, 2021  
CEPD Office  
11513 Andy Rosse Lane #4  
Captiva, Florida 33924  
Public Attendance via Zoom

1. Call to Order

- Chairman Miville called to order the October Board meeting of the Captiva Erosion Prevention District (CEPD) at approximately 1:00 pm on November 8, 2021. He called a moment of silence for the passing of Secretary Kaiser.

2. Roll Call

- Chairman Miville asked Executive Director Nelson if it was necessary to ask the commissioners every time if they wanted to appear remotely. Executive Director Nelson told him it was protocol and had to be followed. With that, Chairman Miville asked if there were any commissioners asking to appear remotely. Vice Chairman Silvia asked to appear remotely. Chairman Miville made the motion and Vice Chairman Silvia seconded that motion. Discussion was invited and vote was held. The motion passed unanimously
  - In favor: Chairman Miville, Treasurer Pyle, Vice Chairman Silvia
- The following persons were in attendance:
  - CEPD Commissioners:
    - Seat 1, Rene Miville, Chairman
    - Seat 2, Richard Pyle, Treasurer
    - Seat 3, John Silvia, Vice Chairman
  - CEPD Staff:
    - Jennifer Nelson, Executive Director
    - Daniel Munt, Technical Policy Director
    - Lindsey Ford, Legislative Administrative Aide
    - James Elston, Administrative Director
    - Laura Pegler, Communications Director
    - Ralf Brookes, CEPD Attorney
  - CEPD Engineers:
    - Nicole Sharp, APTIM

- Dr. Samantha Dancheck, APTIM
- SCCF
  - Ryan Orgera, CEO
- Lee County
  - Steve Boutelle
- Public
  - James Byrd

### 3. Approval of Minutes

- October 11<sup>th</sup>, 2021 Board Meeting,
  - Treasurer Pyle motioned to dispense the reading of and to approve the minutes of the October 11<sup>th</sup>, 2021 Board meeting. Vice Chairman Silvia seconded the motion. Discussion was invited. A vote was held, and the motion passed unanimously.
    - In Favor: Treasurer Pyle, Chairman Miville, Vice Chairman Silvia
    - Not Present: Commissioner Mullins

### 4. Changes to the Agenda

- Treasurer Pyle made a motion to discuss the SCCF invoice. Vice Chairman Silvia seconded that motion. It was moved to be discussed right after public comments. A vote was held and passed two to one.
  - In Favor: Vice Chairman Silvia, Treasurer Pyle
  - Opposed: Chairman Miville
  - Not Present: Commissioner Mullins

### 5. Public Comments – Limit 3 minutes per person

- Public comment was invited.
- No public comments
- Mike Campbell asked Attorney Ralph Brooks if the public could attend the meeting if a physical quorum was not met. Attorney Brookes said that they are allowed to be present since there is no law saying there must be a physical quorum. He said that if something had to be voted on that is the only thing that will need to be changed without the physical quorum present. At that point they will have to ratify it at the next meeting.

### 6. SCCF Invoice

- Chairman Miville expressed his concern with the SCCF invoice we received for relocating the turtle nests for our beach renourishment project. After we received the invoice, he asked Executive Director Nelson to have Ryan Orgera send over some clarification to what all the charges were. Chairman Miville then stated that after some back and forth conversation, Ryan agreed to take \$21,000 off the invoice. The CEPD Accountant however, sent a check for the full amount before getting the approval of Director Nelson. The issue now is that Chairman Miville wants to pay the second amount

submitted by SCCF that reflects the \$21,000 difference and Treasurer Pyle thinks we need to pay the original amount submitted by SCCF and made a motion to pay the original part of the invoice of \$66,970 and Vice Chairman Silvia seconded that motion. Vice Chairman Silvia then asked what the approval system is for paying invoices, since the accountant paid even though there were some questions on the invoice. Executive Director Nelson said that on 10/20/21, Treasurer Pyle approved the invoices, but she did not. She spoke to Chairman Miville, and he did not want it paid until there was clarifications on the charges. She also said that moving forward, Chairman Miville would like to be added on all approvals for invoices, which will have to be done on at a later date, for the chain of approvals already set in place. Ryan Orgera stated that the price of the total invoice was within the parameters of the original estimated cost. It was actually \$19,730 under the maximum amount that the budget listed. Vice Chairman Silvia said his concern was that the SOP was not followed by the accountant sending a check without the approval of Executive Director Nelson. He asked how we could avoid this happening again. Executive Director Nelson said she was going to follow up with the accountant to make sure that he follows the SOP and understands it. She also stated that this was the first time this has happened since she has been with CEPD and felt this was just a one off. Continuing the conversation, Chairman Miville wanted to pay the lesser of the invoices from Ryan and have a workshop to go over what the invoice included. Vice Chairman Silvia asked what the original estimate was and attorney Ralph Brookes showed that the estimate was between \$120,000-\$176,700 and the total they charged us was \$157,000. The motion to pay the original invoice of \$157,000 (this check in question that was already sent was for \$66,970 of that total) was voted on. It passed two to one.

- In Favor: Vice Chairman Silvia, Treasurer Pyle
- Opposed: Chairman Miville
- Not Present: Commissioner Mullins

## 7. Financial Reports

- October Financials
  - Treasure Pyle gave an update on the budget. He stated we are where we should be, but it looks less due to the parking lot being closed and us losing revenue for the month of October from the closure. Other than that, he then said after reviewing the financials everything looked good and there were no surprises. The commissioners then discussed that there are now 7 employees versus the previous 2 contracted employees. Executive Director Nelson went over the part time parking lot attendants and how she has been utilizing them to empty the storage unit we had for over three years, since the parking lot has been closed. Closing the unit will save us \$319.64 a month. Over the course of three years, we have paid \$11,507.04 for that storage unit.

## 8. Old Business

- Beach Nourishment Update

- Technical Director Munt gave his beach renourishment update. He mentioned how the project was winding down and the expected dates of the last beach fill was November 11<sup>th</sup>, as well as the opening of Alison Hagerup parking lot by the week of Thanksgiving. Chairman Miville asked why we were planting the sea oats in the winter months where there is drought. He asked about the pods and if they had glycerin in them. Daniel Munt let him know they did contain the glycerin. He then concluded his update by going over the signs we had put up to keep people out of the dunes at all 96 beach access points.

## 9. New Business

- Board Vacancy
  - Administrative Director James Elston went over the rules and procedures for filling the vacancy for an empty commissioner seat. Chairman Miville asked if we just had to use the NEWS Press to mention the vacancy. Administrator Elston said that was just the paper he had reached out to since we had worked with them in the past. Vice Chairman Silvia asked about voting to hire the new secretary and attorney Ralph Brooks stated they would have to do a majority vote that was public. The commissioners present decided they wanted to start putting the ad in the paper now and continue with interviews until December 31, 2021. Then the commissioners will vote at the first board meeting in January 2022. Vice Chairman Silvia asked if we must let the candidates know that they must attend so many board meetings a year to keep quorum. Executive Director Nelson stated that we made a new application to let the applicants know about attendance policies. Policy Director Munt stated that as policy, the commissioners are expected to attend all 12 meetings to make sure they have a physical quorum.
- Confirm Board Meeting and Workshop Dates
  - The screen was shared to show the list of board meetings and workshops set up for the 2022 year. A motion was made by Treasurer Pyle to approve the proposed meeting schedule. Vice Chairman Silvia seconded that motion. A vote was held and passed unanimously.
    - In Favor: Chairman Miville, Vice Chairman Silvia, Treasurer Pyle
    - Not Present: Commissioner Mullins
- Lee County Interlocal Agreement
  - Chairman Miville was concerned that the numbers given for this agreement were off due to the attendance of people due to what was going on in the economy during a recession. His thoughts were that we would not get the amount of money we should receive due to those numbers. He wanted to know what we could do to correct that. Steve Boutelle from the county spoke and said that he didn't have an answer because those are policies set up by the county commissioners. He said that we would have to add a clause to the agreement to make any possible changes. Executive Director Nelson mentioned we could sign the agreement and add an addendum that the board of county commissioners

would have to agree to. A motion was made by Chairman Miville to approve the Interlocal Agreement with Lee County for the cost share of the of the project, with notification of a potential amendment. Treasurer Pyle seconded that motion. A vote was held, and the motion passed unanimously.

- In Favor: Chairman Miville, Vice Chairman Silvia, Treasurer Pyle
- Not Present: Commissioner Mullins

- Coastal Resiliency/Plan with APTIM

- Dr. Samantha Dancheck went over her background and went over resiliency plans with adaptation to climate change and return on investment. Looking at natural resources and infrastructure on islands and how to get the funding in federal, state, and local levels. They will help with the resources we have as well as figuring out our vulnerabilities, computing risks and help figure out what we want to do in the short and long term. Chairman Miville asked if they could give us a contract that would specify what all they were going to do for us as well as a time frame. Dr. Dancheck said they are going to make sure our studies are cost effective and get reliable solutions that aren't drug out for a long period of time. Nicole Sharp said that they have reviewed the vulnerability study and they would go off of what the community panel have already done, and they would collaborate along the way, making sure to keep an open dialogue. She also said it would take about 2-3 months to nail down the proposal, making sure to list all key components we want to see in there. The main thing is that it is cheaper to plan and adapt now then to respond later to sea level rise and climate change. To end this part of the meeting, Chairman Miville and Nicole Sharp went over the costs and specifics of getting rope and posts to keep people off the dunes. Nicole said we came under budget because we didn't have to do sea turtle relocation troling and we didn't have to do any sediment remediation. Nicole said she was going to look to add a change order with Great Lakes to get a quote on pricing for adding the roped off areas around the dunes.

## 10. Administrative Report

- Dredge Boat Ride
  - Executive Director Nelson went over the successful dredge boat ride with state representatives. This was to educate them on the project and for them to see how beneficial it is. They also had a great discussion about the water/sewer connectivity.
- Annual Economist Study
  - Executive Director Nelson said in 2022 we are going to propose to do annually rather than every eight years so that we have more of a baseline.
- Abstract FSBPA Tech Conference
  - Executive Director Nelson went over the upcoming conference that Daniel Munt and Nicole Sharp were going to present at. They are going to go over the projects before and after.
- Executive Director Performance Review
  - Executive Director Nelson stated that her and Policy Director Daniel Munt are due for reviews and asked for clarification on how they will be reviewed.

#### 11. Commissioner's Comments

- Chairman Miville had a suggestion for video briefs on social media. This will help the locals to understand what we do and give them fun/helpful tips. He went over this with Communications Director Pegler and she agreed it would be a good idea for the people to get to know us and what we do.

#### 12. Adjournment

- Chairman Miville moves to adjourn the meeting. Treasurer Pyle seconds the motion. The meeting was adjourned.