

# Minutes

Regular Meeting  
of the  
Captiva Erosion Prevention District  
South Seas Island Resort, Alphabet Cone Room  
November 14, 2018@ 1:00 P.M .

**Commissioners Present :** Mike Mullins, Vice-Chair; Harry Kaiser, Secretary, Michael Lanigan.

**Absent** (excused): Dave Jensen, Bob Walter.

**Staff Present :** Carolyn Weaver, Acting Administrator; John Bralove, Acting Assistant to the Administrator; Hans Wilson, Hans Wilson and Associates; Dr. William Strange, Economist; Dr. Gary Jackson, Economist.

**1. Call to Order**

Vice Chairman Mullins called the meeting to order at 1:01P. M .

**2. Roll Call**

The Chair called the roll and the results are outlined above.

**3. Approval of October 10, 2018 Regular Meeting Minutes**

Commissioner Kaiser moved and Commissioner Mullins seconded a motion to dispense with the reading of the minutes from the October 10, 2018 Regular Board Meeting and approve them as written. The motion passed unanimously.

**4. Public to be Heard**

There were no comments from the public.

**5. Financial Report**

**a) Budget Performance Ending October 31, 2018**

In the absence of the Treasurer, Ms. Weaver reported parking revenue was approaching average amounts after free parking was allowed during September due to the red tide and dead fish issues. Regarding the Capital Budget, she said there was nothing of significance to report.

**6. Old Business**

**a ) Beach Vehicles, Alison Hagerup Beach Parking Amenities, and Beach Monitor Position - TDC Funding**

Ms. Weaver referred Commissioners to the quotes in the Agenda Materials. She added that when she contacted the Sheriff's Department regarding their recommendation, they suggested an ATV since such a vehicle was less likely to get stuck. Commissioner Mullins suggested further discussion of this item be deferred until the December meeting. Commissioners Kaiser and Lanigan agreed.

Commission Lanigan asked about the status of the other amenities . Ms. Weaver said CEPD was getting quotes for the restrooms and trash containers. Commissioner Kaiser commented the Hagerup parking lot needs to be graded and the sign at the entrance to Captiva needs cleaning. Ms. Weaver said the lot will be graded by Bill Perry after Thanksgiving as he is out of town. Deputy Sheriff Sawicki came into the meeting. He commented on rules regarding vehicles on the beach and requested Ms. Weaver to contact him after the meeting.

b) **Rope and Bollard Replacement Quotes - TDC Funds**

Commissioner Mullins suggested discussion of this item be deferred until the December meeting. Commissioners Kaiser and Lanigan agreed. Ms. Weaver reported CEPD was in the process of getting quotes.

c) **Referendum Language - Supervisor of Elections, due by November 4, 2018**

Ms. Weaver reported the verbiage for the referendum was sent to the Supervisor of Elections on October 30; this is for the Board's information and no action is necessary.

d) **Draft Letter, Brochure, and Postcard to Registered Voters**

Commissioner Mullins explained the purpose of the mailing is to get an idea of how much support the referendum might receive. From the results, CEPD can determine whether extra effort might be needed to obtain support from the majority of voters. Commissioner Kaiser moved and Commissioner Mullins seconded a motion to move ahead and send this straw poll to registered voters using better photos. The motion passed unanimously .

Ms. Weaver explained that the photos in the Agenda Materials were simply examples and she would make sure the best ones were used. Commissioner Mullins suggested a somewhat similar mailing go to property owners.

e) **Fence Quotes for Alison Hagerup Beach Parking**

Commissioner Mullins suggested discussion of this item be deferred until the December meeting . Commissioners Kaiser and Lanigan agreed.

f) **Updated Review and Direction for FY 2018-2019**

Commissioner Mullins suggested discussion of this item be deferred until the December meeting . Commissioners Kaiser and Lanigan agreed.

Discussion continued on this item later in the meeting regarding the need to send out a tentative apportionment/assessment letter to property owners prior to the March 2019 referendum providing a tentative range of their assessment, as was done before the previous referendum. Commissioners agreed that the decision to send these letters will await advice from CEPD's attorney, Nancy Stroud, as to whether a letter and tentative apportionment/assessment data need be sent out before the referendum.

g) **Updated Presentation of Tentative Apportionment for Proposed 2012 Beach Renourishment Projects**

Dr. Strange began the presentation by saying he has been in touch with CEPD's attorney, Nancy Stroud, to make sure the recommendations he and Dr. Jackson are proposing are

legal. Dr. Stronge said based on the Board's input and direction, the tables and information he is presenting will be refined and included in his final report.

Dr. Strange went through Tables 1 through 9 in a PowerPoint presentation. The same information was included in the Agenda Materials. Commissioners asked questions and sought clarification about some of the data in the tables.

Dr. Strange and Dr. Jackson then presented the second portion of their PowerPoint presentation which included Refinements to the Basic Millage Assessment Rates; Outline of Refinements; Adjustments to Storm Protection Assessments - The Village Zone; Adjustments to Storm Protection Assessments - The Upper Gold Coast Zone; Adjustments to Recreation Assessments - Homesteaded Properties; and Adjustments to Recreational Assessments - Institutional Properties and Utilities Parcels. They went over what they were recommending remain the same and what they thought should be changed.

After additional discussion and questioning, Commissioner Lanigan moved and Commissioner Kaiser seconded a motion to treat multi-family properties that have fewer than 10 structures the same way as we treat single family homes, for recreational use. The motion passed unanimously. Commissioner Mullins commented that Commissioners have the right to revisit this motion at the next meeting when more are in attendance.

Commissioner Lanigan moved and Commissioner Kaiser seconded a motion that single family homes which are homesteaded should receive the homestead discount. The motion passed unanimously.

Discussion ensued regarding the common element parcel owned by the Gulf Way Improvement Association, Inc. Commissioner Kaiser moved and Commissioner Mullins seconded a motion to assess the identified 7 properties as if they are Gulf front based on the parcel they have an interest in, and the bill for the common element be sent to the owner of record for Gulf Way property at the appropriate millage rate, as recommended by the economists. The motion passed unanimously.

Dr. Strange and Dr. Jackson were asked to attend the December meeting. Commissioner Mullins asked Dr. Strange when a spreadsheet with the tentative apportionment and assessment will be available. Dr. Strange and Dr. Jackson said CEPD should have it in early December.

## **7. New Business**

### **a) New/Acting Administrator**

Commissioner Mullins suggested discussion of this item be deferred until the December meeting. Commissioners Kaiser and Lanigan agreed.

### **b) Alison Hagerup Beach Maintenance Contract with Lee County**

Ms. Weaver explained CEPD has signed this contract and it is being presented for information purposes. No action is required of the Board.

### **c) Captiva Civic Association**

This item was put on the agenda by Commissioner Kaiser. He had to leave the meeting early but Commissioner Mullins thought Commissioner Kaiser wanted CEPD to join this organization. Further discussion was deferred until the next meeting. It was suggested Nancy Stroud be consulted in advance to determine if CEPD's enabling legislation allows this and by joining, there are not potential Sunshine Law violations.

**8. Administrator Report**

**a) Clarity in Board Motions**

Discussion of this item was included in Agenda Items 8.b. below.

**b) Clarity in Chairman's Authority**

Ms. Weaver said Chairman Jensen had requested Agenda Items 8.a and 8.b. be put on the agenda. She stated she could read excerpts from the Rules of Procedure but suggested discussion be deferred until Chairman Jensen returns. The Commissioners agreed.

**9. Public to be Heard**

Gerhard Thelen commented he thought it was unfair that condominiums were assessed at a rate that was almost double that for single family homes. Commissioner Mullins thought this issue should be discussed again at the next meeting.

Commissioner Mullins said he thought if an objection is raised about an apportionment during the meeting at which objections can be filed, a motion should be made and seconded, Commissioners should hear the objection and discuss it, and then vote on it. He added that making or seconding a motion does not necessarily mean one supports the motion. At the last apportionment hearing in 2014, he said Commissioners did not vote on objections and this was a better way of dealing with them.

**10. Commissioner Comments**

There were none.

**Adjourn**

There being no further business, the Chair adjourned the meeting at 3:45 P.M.