

## **Minutes**

### **Briefing Meeting of the**

#### **Captiva Erosion Prevention District**

11513 Andy Rosse Lane, Unit 4, Captiva, Florida 33924

May 9, 2013 @ 1:00 P.M.

**Commissioners Present:** Jim Boyle (Chair); Doris Holzheimer (Vice Chair); Dave Jensen (Treasurer); Harry Kaiser (Secretary); Mike Mullins (Commissioner)

**Staff Present:** Kathleen Rooker, CEPD Administrator; John Bralove, CEPD Assistant to the Administrator; Hans Wilson, Hans Wilson and Associates via telephone

#### **1. Call to Order**

Chairman Boyle called the meeting to order at 1:00 P.M.

#### **2. Roll Call**

Chairman Boyle called the roll and the results are outlined above.

#### **3. Interlocal Agreement Communications**

Chairman Boyle said Ms. Rooker had prepared two template letters for people to use to communicate their support to the Lee County Commissioners for the CEPD proposals in the ILA: one especially for Commissioner Manning and another for the other commissioners. He said the County Attorney that reviewed the ILA commented on the draft and advised that the lease for the Captiva side of Turner Beach be included in the ILA or the provision dropped from the ILA and the lease negotiated as a separate agreement at a later date. Mr. Boyle recommended that the lease be part of the ILA, although it might delay the final approval of the ILA until June or July. Mr. Mullins agreed. Commissioners supported the recommendation and agreed to delay sending letters to the Lee County Commissioners until it could be determined when the ILA would be on the County Commissioners agenda.

#### **4. Commissioner Comments**

Mr. Mullins said that he thought Attorney Nancy Stroud's opinion that votes could be taken at Briefing Meetings was wrong. He added that the Rules of Procedure should be changed so that any vote taken at anything that is not a regular meeting be confirmed at a regular meeting. Both Mr. Boyle and Ms. Rooker explained under what circumstances a vote can be taken and when votes need to be re-confirmed at a regular meeting. Mr. Mullins said whatever the circumstances, the vote should be memorialized at a regular meeting. Mr. Mullins requested that Ms. Rooker get an official Opinion of Counsel. Mr. Boyle said the voting issue will be considered at the next regular meeting.

Mr. Kaiser brought up the issue of the unsightliness of the newspaper boxes at Turner Beach. Mr. Mullins said CEPD could address this issue when the District takes over the Captiva side of Turner Beach.

Ms. Rooker and Mr. Mullins explained to Mr. Holzheimer why BB&T's new proposal for the project loan that came in yesterday had not been considered. He said it was still not a clear commitment and BB&T could still walk away at the last minute.

**Adjourn**

There being no other business, Mr. Boyle adjourned the meeting at 1:14 P.M.