

## Minutes

### Regular Meeting of the Captiva Erosion Prevention District

Tween Waters Inn, 15951 Captiva Drive, Captiva, Florida 33924

April 9, 2014 @10:00 A.M.

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

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

**Stroemer & Co. Staff Present:** Jack Alexander

**CP&E Staff Present:** Nicole Sharp, Tom Pierro

**Other:** Dr. William Stronge, Economist

#### 1. Call to Order

Chairman Boyle called the meeting to order at 10:00 A.M

#### 2. Roll Call

The roll was called and the results are outlined above.

#### 3. Approval of Meeting Minutes

Commissioner Mullins moved and Commissioner Kaiser seconded a motion to dispense with the reading and approve the minutes as written from the March 12, 2014 Regular Board Meeting. The motion passed unanimously.

#### 4. Public to be Heard

There were no comments from the public.

#### 5. Financial Report

Treasurer Jensen reported that in the General Fund, ad valorem tax collections were getting closer to the budgeted amount. He said March's collections have not been received and is therefore not reflected in the financial statements. Everything in the General Fund looks good. With regard to the Capital Project Fund, the final invoice for the project is due from CP&E in the next few days.

#### 6. Old Business

##### a) 2013/14 Beach Renourishment Project Apportionment Plan – Draft

Chairman Boyle began the discussion by saying the current draft of the apportionment was based on a \$ 3.0 million pay down of the loan from \$9.6 million to \$6.6 million. Dr. William Stronge went through the tables and narrative contained in the Agenda Materials entitled "Captiva Island 2013-14 Beach Nourishment Project Final Apportionment Plan." During his presentation of data

contained in Table 4, Commissioner Mullins commented he thought the codes the Department of Revenue (DOR) used were obsolete, this could cause a problem, and he did not know what could be done. Dr. Stronge said the County Property Appraiser provides the information to the DOR. There is a large manual the Property Appraiser has to follow and it includes a very detailed set of rules. Chairman Boyle reminded Commissioners that by Board policy, multi-family units that are homesteaded are treated as single family. This also includes condominiums. Dr. Stronge added that CEPD has always recommended to property owners who think there are errors with their classifications to contact the Lee County Property Appraiser's Office. The Chair said CEPD would change the roll as soon as homeowners provide documentation from the Appraiser of any changes.

Commissioner Kaiser commented that overall, these draft assessments were good news to everyone. Dr. Stronge mentioned that a new reach – 3C – was established for 5 properties on the bay side that had a small piece of land on the seaward side. Commissioner Mullins thought there might be a problem if two similar properties near Blind Pass were not treated the same way. Dr. Stronge said the same principle is being applied.

Dr. Stronge talked about other properties, like common elements, utilities, and those that are government-owned, and how they were treated. Commissioner Mullins expressed concern that the Captiva Gulf Way property as not being correctly classified by the Appraiser. After further discussion about this property, Chairman Boyle said the property will be reviewed.

The Chair reminded the Commissioners that the roll they are currently viewing is a draft. He said CEPD has a meeting with the County Commissioners next Tuesday to request an increase in the cap of the ILA from \$6.1 million to \$7.1 million. If this is successful, CEPD will have another \$1 million to pay down the loan. He said the next iteration of the apportionment plan, to be viewed at the May meeting, will have a pay down so that the cost basis to taxpayers for the assessment would be \$5.6 million. It will also include updates on 8 properties that were incorrectly classified and an additional 4% to compensate CEPD for loan interest it will have to pay in May and any lost revenue resulting from discounts given to taxpayers by the Tax Collector for early payment. Commissioners will receive this next iteration approximately a week before the meeting.

Chairman Boyle thanked Dr. Stronge for coming to the meeting. Commissioner Kaiser thanked Dr. Stronge for a great job. Commissioner Mullins said he would like to see a comparison of the proposed assessments of the 50 highest-assessed properties to their assessments in 2007 since this is where CEPD will receive the greatest reaction. Dr. Stronge explained that this might not be a valid comparison since the assessment in 2007 was based on a much higher figure. Commissioner Mullins said he saw some anomalies. He asked how he could get these pursued and corrected. Chairman Boyle said there were 8 that had been corrected and Commissioner Mullins would see them in the next iteration. The Chair asked what other properties he was talking about. Commissioner Mullins said they were properties he owned and some properties adjacent to them. Chairman Boyle suggested he get something back from the County as he had done in the past on his properties. Commissioner Mullins said he would do this and send a letter to the Board as well pointing out these anomalies.

**b) 2013/14 Renourishment Project**

The discussion of this Agenda Item was included in Item 6(a).

**7. New Business**

a) **Rules of Procedure Rule 2.04-Bank Accounts Section (d) Project Reserve Fund**

Chairman Boyle said at the last meeting all agreed that the current language is confusing and inconclusive. New wording has been suggested and had been reviewed by legal counsel. He called for comments or a motion. Commissioner Mullins moved and Commissioner Kaiser seconded a motion to replace the existing language as proposed in the Agenda Materials. There was discussion regarding when the money should be set aside. The Commissioners agreed that more work needed to be done on this. Commissioner Mullins withdrew the motion and Commissioner Kaiser, as the seconder, agreed. The motion was withdrawn.

**8. Administrator Report**

a) **CAC Beach and Shoreline Grant Requests**

Ms. Rooker discussed the two requests. Regarding the \$60,000 for Project Monitoring and Survey, she said this request would be withdrawn if the County Commissioners approve the increase in the cap to the ILA since these funds are included in the increase. The other request for \$19,085 is the standard request for beach maintenance.

b) **Public Records Request**

Ms. Rooker explained that the first public records request from ASK4RECORDS.com was for the March 12, 2014 Board Minutes and some email addresses. The March minutes will be sent now that they have been officially approved. Upon advice from counsel, email addresses used by Ms. Rooker, Mr. Bralove, and Mr. Wilson will be provided. She said the second request was more extensive and stemmed from Manson Construction's desire to determine why their bid was so much higher than Great Lakes. She said CEPD is half way through fulfilling this request and that Manson Construction has agreed to pay for the service and copies.

Ms. Rooker called Commissioners' attention to the response CEPD sent to Ben Jones regarding his concern that he was not getting assessment credit for the revetment on his property. She also pointed out Mr. Jones' response to the letter. Commissioner Kaiser said he thought CEPD's response was very clear.

**9. Public to be Heard**

There were no comments from the public.

**10. Commissioner Comments**

Commissioner Kaiser said the project went extremely smoothly and thought Ms. Sharp had done a great job. He has heard nothing but compliments about the new beach. He also mentioned that people are putting up canopies and similar structures on the beach and only removing the canvas at night, leaving the frame. Commissioner Mullins suggested that the people be talked to first and if this does not work, call the Sheriff. Ms. Rooker explained that CEPD has no enforcement authority in these kinds of situations.

Commissioner Jensen thanked Chairman Boyle and Ms. Rooker for all the preliminary work they had done with the County in the effort to increase the ILA cap. Ms. Rooker thanked the County Department of Natural Resources for their support and cooperation.

**Adjourn**

There being no further business, Chairman Boyle adjourned the meeting at 11:45 A.M.