

## **Minutes**

### **Regular Meeting of the Captiva Erosion Prevention District**

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

February 8, 2017 @ 1:00 PM

**Commissioners Present:** Dave Jensen, Chair; Mike Mullins, Vice Chair; Harry Kaiser, Secretary; Bob Walter, Treasurer; Rich Stegmann, Commissioner.

**Staff Present:** John Bralove, CEPD Administrative Assistant; Jon Waters, Hans Wilson and Associates.

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

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

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

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

#### **3. Approval of January 11, 2017 Regular Board Meeting Minutes**

Commissioner Kaiser moved and Commissioner Mullins seconded a motion to dispense with the reading of the minutes from the January 11, 2017 Regular Board Meeting and to approve them as presented. The motion passed unanimously.

#### **4. Public to be Heard**

Sandy Stilwell urged the Commissioners to keep the Hagerup Beach Parking Lot open late so that people can park and walk the beach without occupying parking spaces at the restaurants. Chairman Jensen thanked Ms. Stilwell for her comments and said they will be taken into consideration when the agenda item comes up later in the meeting.

#### **5. Financial Report**

##### **a) Budget Performance Ending January 31, 2017**

Treasurer Walter said parking revenues in January were up 28% year over year and year-to-date up 19% year over year. The Chair called for questions; there were none.

#### **6. New Business**

##### **a) Alison Hagerup Beach Park Hours**

To enable discussion, Commissioner Mullins moved and Commissioner Walter seconded a motion to officially change the hours at the Alison Hagerup Beach Parking Lot to "dawn to dusk" effective immediately and obtain from CEPD's attorney proper wording that will limit CEPD's liability. Mr. Bralove reviewed the data contained on Page 13 of the Agenda Materials. Commissioner Walter said if the lot is open until 11 P.M., CEPD incurs a reasonable assumption of risk. Ms. Stilwell said it would be unfortunate to restrict citizens' access after dusk. Commissioner Mullins said changing the hours might avoid CEPD getting sued. Commissioner Kaiser agreed.

Chairman Jensen suggested CEPD check out the liability issues and insurance coverage with the District's insurance carriers. Commissioner Mullins said the Board could always take another look at the issue if changing the hours causes problems. He called for the vote on the motion. Commissioner Walter cautioned against taking money for parking when the lot is officially closed. The motion passed 4 to 1 with Chairman Jensen voting against it.

## **7. Old Business**

### **a) FEMA Appeal # 1 Determination**

Chairman Jensen reviewed the information in the Agenda Materials. He suggested the Board needs more clarity and information before a more comprehensive discussion takes place. Commissioner Mullins congratulated the staff on their perseverance in what turned out to be a lengthy battle.

### **b) Blind Pass Dredging Update**

In Ms. Rooker's absence, Joel Caouette, Sanibel Conservation Officer, discussed the tasks and timeline for this project. Commissioner Mullins suggested the bridge be closed to pedestrians and fishermen during the dredging. Mr. Caouette said he would pass on this request to James Evans, who in turn can contact the County.

### **c) Blind Pass Inlet Management Plan Update**

Chairman Jensen called the Commissioners' attention to the report in the Agenda Materials and said the first item in the report (the January 16 Technical Advisory Committee Meeting) had already occurred. Modeling was still taking place.

## **8. Administrator Report**

### **a) Beach Status 2/2/17**

The Chair asked Commissioners for their personal observations on beach erosion. Commission Kaiser said he had erosion in front of his house and this had not happened since 1986. Mr. Bralove reported the tilling done in January had knocked down the escarpments and the tiller had spread the sand resulting from this to widen the beach. Some of the escarpments reappeared as a result of the storm two weeks ago. Commissioner Mullins said the area on Sanibel across from the Lazy Flamingo appears to be holding up well. Commissioner Walter said at South Seas in front of the golf course and just to the south, escarpments have indeed reappeared as a result of the storm two weeks ago.

### **b) 2017 Regular Meeting Location**

Future meetings will be held in the Ding Darling Room. The next meeting is March 8.

## **9. Public to be Heard**

There were no comments from the public.

## **10. Commissioner Comments**

Regarding the parking lot hours issue, Commissioner Mullins reminded Commissioners of their fiduciary responsibility. Questions were raised about CEPD's liability insurance coverage. The Chair said CEPD's insurance coverage will be reported at the next meeting.

Commissioner Stegmann asked whether the signs are changed now or do we wait for the official word from the attorney. Also he asked who changes the signs. Chairman Jensen said while

CEPD is waiting for the wording from the attorney, the staff, with his assistance, will modify the current signs to reflect the new hours.

Commissioner Kaiser commended the staff on a job well done with FEMA.

**Adjourn**

There being no further business, the Chair adjourned the meeting at 1:55 P.M.