

MINUTES OF THE BOARD OF SUPERVISORS

ISLE OF PALMS SPECIAL DISTRICT

June 10, 2015

Board President Ken Wright opened the meeting and called it to order at approximately 1838p hours with a Roll Call of all Board members present [Agenda Item 1]. Other Board members/officers present were Board Vice President Paul Raudenbush, Secretary Brad Radloff and Member Tim Pacheco. Treasurer Matt Kwartler could not attend. Board Attorney Wayne Flowers of Lewis, Longman & Walker (LLW) was also present. Approximately 11 homeowners of the District attended. Joe Wagner, P.E. of Taylor Engineering was also present to provide an update on issues associated with the District's permit.

Agenda-Specific Public Comment [Agenda Item 2]-

As a result of a new Florida Statute, public comments of agenda items only (no general items) are to be taken prior to addressing the Meeting Agenda. There were no such public comments.

OTHER AGENDA ITEMS

3. Approve the Minutes of the April 8, 2015 Board meeting.

MOTION: To approve the minutes of the March 11, 2015 Board meeting, by KWright.

The motion was seconded by TPacheco and passed unanimously by all Board members present.

4. Treasurer's Report (as summarized by KWright in MKwartler's absence). The District's account balance is approximately \$268,000 and there are some bills that need to be paid but those will have to wait until a future meeting when MKwartler can write the checks. There is also a dual signature requirement that is in place now for all checks/bill payments.
5. Update on ACOE Permit and any additional info. re: individual dredging/restore and correct compromised bulkheads. Still waiting, the National Fisheries Service has not reviewed their portion of the permit application yet but has offered a preliminary comment that would require a minor restriction of certain dredging activities. It may be July before there is some indication as to when we might see something from the ACOE. At this time, Joe Wagner announced that he will no longer be working for Taylor

Engineering as the project manager for the District's engineering tasks and introduced the new Project Manager from Taylor Engineering, Jennifer Klich, P.E., whom was also present for this Board meeting.

KWright also brought up the question of whether the permit will allow for individuals to remove sediment/soil that has blown out from bulkheads into a canal, as demonstrated by TPacheco with photographs of a recent accident/blow-out during the construction/repair of a bulkhead on one of the canals. Mr. Wagner indicated that the permit will not allow such removal of sediment with approval from the ACOE, unless it is done along with a normal maintenance dredging activity.

6. Report on transfer of Website updating responsibility. According to PRAudenbush, MKwartler, has agreed to maintain the website, at least for the time being until PRAudenbush can get up to speed on it.
7. Further discussion on viability of amendment to the District's enabling Ordinance to allow financing for dredging and similar District efforts to obtain Board authority to maintain canals and bulkheads. TPacheco provided comments on his thoughts regarding potential obstructions in the canals during dredging activities and not maintaining bulkheads, etc. A Board discussion ensued regarding the issues and legal options or impediments. Board Attorney WFlowers provided legal insight. BRadloff asked for a show of hands from the attending homeowners whether they would be interested in seeing the District have some sort of authority to compel homeowners to fix compromised bulkheads, etc. and most attendees were FOR such authority. As a result of the discussion, it was decided that our new council representative needs to be approached regarding an amendment to the District's Ordinance and WFlowers would email to the Board members a copy of Harbor Waterway's recently adopted Ordinance for similar authority. KWright suggested that the Board members review Harbor Waterway's Ordinance to make any notations/adjustments, as necessary, in an effort to assist in the formulation of a similar document for the IOPSD but also be sure to include a provision for financing so that both issues can be addressed simultaneously.
8. Review 2015 non-ad valorem assessment rolls. WFlowers suggested that his assistant had gone over the list to check for accuracy, etc. as LLW has done previously and reminded the Board of certain parcels that may be on the Roll but that need to be excluded from the assessment for one reason or another (usually unusable "slivers" of land) as previously approved by the Board. As such, there are 498 properties on the Roll but only 497 would pay. Voting to approve the assessment Roll will occur during the July 8, 2015 Board meeting/public hearing.
9. Discussion of potential/preliminary 2015 tax assessments and associated public hearing notices/annual budget amendments, etc. The usual preliminary discussion from Board members about how they will probably vote regarding an additional annual assessment and how much they would like to see (BRadloff was against any additional assessments, for now, or until the original dredging bill is paid off; TPacheco is against additional or unless it is \$50 or less, until the original dredging is paid off; KWright is for the full \$100

annual increase; PRAudenbush is for the full increase; and in MKwartler's absence, it was suggested that he usually votes for the maximum allowable assessment). After the Board discussion, comments were allowed by attendees. Joe Wagner also offered insight for engineering and associated costs depending upon whether all the canals were dredged together, one or two at time, and what increases might be by waiting and saving up. After public discussion, it was decided that the Board were hold a Public Hearing in July to actually vote on an increase in the annual assessment from \$450 to \$550. Along with that, LLW was authorized to provide the necessary services to notify (by all required means) the District homeowners of the Public Hearing.

MOTION: To approve a proposed annual assessment increase from \$450 to \$550 that would be formally voted on at a Public Hearing and for LLW to perform the necessary administrative activities, including posting notices, etc.; by KWright.

The motion was seconded by PRAudenbush and passed unanimously by all Board members present.

10. Discussion and action on Board participation by telephone/other electronic means. WFlowers provided a brief summary of the legal requirements regarding adopting such actions and the Board finalized a discussion to adopt the necessary language, as approved by the Board. WFlowers will draft a resolution for consideration by the Board for the next meeting.

MOTION: To adopt the proposed procedure to allow for Board members to participate in Board meetings by electronic means, by KWright.

The motion was seconded by TPacheco and passed unanimously by all Board members present.

11. New business. No new business.

Future Meeting Dates -

There is a new venue for meetings now that will be held at the "Captain's Club" located at 13363 Beach Blvd.; as listed below. Whereas the meetings *were* held on Tuesdays, they are *now* being held on Wednesdays at 6:30 PM.

July 8, 2015 October 14, 2015 November 18, 2015

General Public Comment -

There were no public comments

Adjournment -

KWright adjourned the meeting at 1942 hrs.