

MINUTES OF THE BOARD OF SUPERVISORS

ISLE OF PALMS SPECIAL DISTRICT

July 8, 2015

Board President Ken Wright opened the meeting and called it to order at approximately 1841 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, Treasurer Matt Kwartler, and Member Tim Pacheco. Board Attorney Wayne Flowers of Lewis, Longman & Walker (LLW) could not be present and Attorney Howard Kaplan from LLW sat in. Approximately 40(!) homeowners of the District attended. A representative (Jennifer Klich, P.E.) from Taylor Engineering was not present, as usual, to provide an update on issues associated with the District's permit.

Agenda-Specific Public Comments [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. Susan McCormick from Queen Palm Drive re: the life-time limit (\$1000.00) of the annual assessment/she thought it was supposed to be \$500.00.

OTHER AGENDA ITEMS

3. Approve the Minutes of the June 10, 2015 Board meeting.

MOTION: To approve the minutes of the June 10, 2015 Board meeting, by KWright.

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

4. Treasurer's Report (by MKwartler). The District's account balance is \$284,876.79, as of the meeting day.. There were bills/reimbursements that needed to be paid: 1) Coleman & Associate, \$300.00 for part of the annual auditing costs and 2) TPacheco, \$15.31 for UPS post office box. As a special note, there is a dual signature requirement that is in place for all checks/bill payments.

MOTION: To approve the pay Coleman & Associates and TPacheco, as described above, by MKwartler.

The motion was seconded by BRadloff and passed unanimously by all Board members

present.

5. Update on ACOE Permit and any additional info. Ms. Klich from Taylor Engineering was not present, so KWright gave a quick summary the status of engineering activities - the District currently does not have a permit to dredge. The application has been submitted but are awaiting certain approvals from permitting agencies such as the National Fisheries Service. There is no way of telling when those approvals may be obtained.
6. Discussion and possible vote re: amendment of enabling Ordinance to allow for financing of dredging. If approved, the amendment would provide authorization to finance dredging, only if the Board deems it necessary or if that would seem to be the most appropriate action or in the best interests of the District. The Board members discussed and described the reasons for considering this amendment to the Ordinance and possible language for the amendment. The Board included and considered comments, concerns, and questions voiced by the attendees.

MOTION: To amend the District's enabling Ordinance to allow for financing of dredging costs (if and when the Board deems necessary, at some time in the future), with the following language on Page 2, Subsection F: "*To borrow money for the purpose of enabling the District to perform public functions or services, as herein provided,*" by KWright.

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

7. Discussion and possible vote re: amendment of enabling Ordinance to provide Board authority to move obstructions to ensure ability to dredge and possibly to prescribe rules for maintenance, size, type and placement of bulkheads and structures in canals. The Board opened up the discussion to include and consider comments, concerns, and questions voiced by the attendees. Much discussion ensued regarding the issues and legal options or impediments, as well as to what degree the Board would want to be involved in such authority. The main concern seemed to be moving/removing/replacing certain structures in the canals that may be impediments to the efficient and orderly conduct of dredging and the difference between what might be considered a permanent or non-moveable structure and one that might be moveable for purposes of uninhibited dredging. The Harbor Waterways Ordinance language was presented as an example to be used possibly for the District's Ordinance. The District also has to address the new Councilman for our Council District. KWright generated initial language to consider for the next meeting

MOTION: To authorize the Board to develop language (that KWright already provided an initial written basis for) that would be used to amend the District's enabling Ordinance to include the authority to manage (e.g., remove obstructions/assess for costs of same) certain pre-defined structures prior to and during dredging

operations. Said language to be discussed/finalized/voted-upon during the October 2015 Board meeting, by PRaudenbush.

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

8. Discussion and vote on 2015 tax assessment amount [Noticed Public Hearing]. The Board discussed whether to increase the annual assessment, keep it the same, or lower it. The Board members presented their positions regarding, essentially increasing the assessment or not (BRadloff is against increasing the assessment, for now, or until the original dredging bill is paid off; TPacheco is against increasing the assessment until the original dredging is paid off; KWright is for the full \$100 increase to \$550 annually; PRaudenbush is for the full increase; and MKwartler is for the full increase). After the Board presentation/discussion, comments/concerns/questions were heard from attendees. After public discussion, the Board held a formal and binding vote on whether to increase the assessment \$100 to \$550 annually or not.

MOTION: To approve an increase of the annual assessment from \$450 to \$550, by KWright.

The motion was seconded by MKwartler and passed having three votes FOR the increase and two AGAINST (the dissenting votes coming from BRadloff and TPacheco).

9. New business. An attendee had a question regarding crab-pots in the channels. Another attendee asked when he would see the new assessment on his taxes - the answer being November for next year. Another attendee asked about insurance for damages during dredging. BRadloff wanted to everybody in attendance to remember that anybody can be a candidate for the District's Board seats and should consider it, if they are just interested and/or do not necessarily like the direction that the Board is taking the District (in other words, get involved).

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.

October 14, 2015 November 18, 2015

General Public Comment -

There were no public comments

Adjournment -

KWright adjourned the meeting at 1953 hrs.