

Upper Captiva Community Panel  
Approved Minutes of the September 20, 2011 Meeting

Meeting called to order at 10:07 AM

Present: Panel Members Kristie Anders, Chair; Dave Tompkins, Vice-Chair; Rick Fox, Treasurer; Zeke McDonald, Secretary; Peter Aldrian (via teleconference phone joined at 10:15am), Member; Dr. Margaret Banyan, FGCU Planning Consultant

Phone conference option provided: Peter Aldrian attended via the phone-in service. No public were present by telephone

July 22 2011 Meeting Minutes

Margaret Banyan asked for clarification who made the motion to adjourn and who was the seconder. Panel members clarified and corrected.

**Zeke McDonald Motion:** approve minutes of the July 22 2011 meeting as amended

**Rick Fox: Second**

**Discussion:** None

**Decision:** Minutes were adopted as amended by a unanimous vote.

Treasurer's Report

**Treasurer's Report:** Rick Fox provided the financial report as of September 20, 2011 and requested that it be attached to the 9/20/11 minutes. Balance remaining for the project remained at \$23,718.

**Zeke McDonald Motion:** Accept Treasurer's Report

**Dave Tompkins: Second**

**Discussion:** None

**Decision:** Treasurer's Report accepted by unanimous vote. Discussion regarding the signing of the revised UCCA – County contract changing the time line for implementation.

Public Comment

No public comment

Update on Planning Research Efforts

Kristie Anders and Margaret Banyan reported on the meetings with Commissioner Manning and attorneys Michael Jacobs and John Fredyma. They reported that Manning was supportive of the community panel, had no concerns about the UCCP, and was interested in seeing the UCCP consider Phase 3 of the planning process at the appropriate time. [Phase 3 is a plan update process and requires that communities wait a minimum of 5 years from Phase 2 to undertake an update.]

Margaret Banyan reported that the attorneys explained the options for road placement and passed out the document, "Summary of Meeting with Commissioner Manning and County Attorneys." Kristie Anders explained their ideas about an MSTU / BU, which were noted on the above-referenced document.

Dave Tompkins asked how safety issues covered in code would benefit the pathways issue(s). Kristie responded that it allows safety devices (signs) to recognize where drivers need to come to a stop or yield, such as Run Road / Sea Air.

Kristie Anders also reported on potential opportunities to govern golf cart operations that may add a layer of protection for property owners. This may consist of requiring that businesses have users sign an

addendum to their rental contracts that enforce limits on golf cart operations. Discussion continued on the balance between safety and restrictions on golf cart drivers.

Zeke McDonald agreed that was likely the only avenue to establishing safety on the pathways and wanted a suggested or draft code to be developed. Dave Tompkins agreed.

**Rick Fox Motion:** FGCU put together a plan and related information and present at the next regular meeting. Motion subsequently amended to include sample code in the packet.

**Zeke McDonald:** Second

**Vote:** Unanimous in favor

Margaret Banyan stated that the preliminary easement research has been completed by FGCU intern, Mike Fiigon. She will get a cost estimate from Dr. Tom Felke at FGCU to bring back to the committee regarding developing a GIS map of the pathways and deed language.

### Pepper Report

Dave Tompkins summarized the pepper report that was delivered to the committee. He described Sanibel's process of phasing code in one area at a time. The cost was a consideration – lot owners on Sanibel were provided a one year period in which they could get a 20% rebate on the cost of removal. The City of Sanibel paid for the cost of disposal. After one year there were not more rebates and no further leeway was allowed.

*Discussion:* Rick Fox reported that Safety Harbor uses a poison for removal and mandates that owners take care of it. If not done, Safety Harbor will remove and bill the owner. The panel and community members engaged in further discussion regarding available funding for removal. Other thoughts were to require removal of invasive species at the time of property development. Kristie reported that Ken Gooderham had written a grant for Captiva to the state Department of Agriculture to replace the Australian pines on Captiva with native trees. The panel requested that Dave ask Tom Levin to research some grant opportunities. Kristie suggested that whoever gets contract from UCFRD to clear roads can poison pepper along the pathways.

### Planning Panel Organization

*Discussion and final approval of by-laws.* Final draft language was developed for by-laws. The panel will post for public viewing and work on a poll question for the community as to whether the panel should continue to operate under the UCCA or whether it should become independent. The polling question should be left open for approximately a two-month period.

*Implementation date.* The panel discussed the implementation dates of elections in the month of January-February and transitions in March 2012.

**Zeke McDonald Motion:** The panel should adopt draft by-laws as amended and submit to the public by e-mail and website, asking the question, "Do you agree that the panel should remove itself from the UCCA or maintain the same structure" and the transition to occur no later than March 1

**Rick Fox:** Second.

**Discussion:** None

**Decision:** Unanimous in favor.

Next meeting tentatively scheduled for October with Commissioner Manning as guest.

**Rick Fox Motion:** Adjourn

**Dave Tompkins:** Second

**Decision:** Unanimous in favor.

Meeting adjourned at 12:35 pm