

Upper Captiva Community Panel  
Adopted Meeting Minutes  
April 25, 2012

Meeting called to order: 10:00 am

Present: Panel Members Kristie Anders, Chair; Dave Tompkins, Vice-Chair; Rick Fox, Treasurer; Zeke McDonald, Secretary; Peter Aldrian, Member; Dr. Margaret Banyan, FGCU Planning Consultant (by phone); and members of the public.

March 9 Meeting Minutes

**Dave Tompkins:** Motion to accept minutes as amended

**Peter Aldrian:** Second

Motion withdrawn by acclimation

**Zeke McDonald:** Motion to table minutes

**Kristie Anders:** Second

**Decision:** Unanimous in Favor of tabling minutes

Treasurer's Report

Rick Fox put the treasurer's report in a different format this month by taking the components and breaking the project down by phase. Currently, there is \$34,200 allocated to FGCU, plus what had been paid to Bob Pritt. Rick also added an additional section to the financial report reflecting incorporation. UCCA gave \$1,000; Safety Harbor contributed \$179.00 to file the paperwork. Total cash account is now \$1,179.00. The account has to maintain a minimum balance of \$1,000 to avoid fees. The Phase II bill has not been received from FGCU. The account is held with Suntrust Bank on Stringfellow. Rick, as Treasurer, is authorized signer on the account. Kristie is listed on incorporation papers and will be a signer on the account. The panel should have a minimum of two signers, three would better. Rick distributed the Articles of Incorporation and has established a permanent file at Safety Harbor. Margaret worked with Arthur on incorporation papers; Kristie noted that Rick would be the incorporator because she didn't want to list physical address with employer. Since Safety Harbor will always have a member on panel, it would make sense to always have it as the registered agent; Rick distributed the EIN number and the cover letter and bank account with balances. Rick said that whoever is treasurer should hold the checkbook. Dave Tompkins thought that was a good arrangement.

**Zeke MacDonald:** Motion to nominate Rick as agent and to accept all incorporation paperwork.

**Peter Aldrian:** Second

**Discussion:** Kristie Anders made a friendly amendment to nominate Rick as agent and accept the entire incorporation document with great appreciation to Margaret, Arthur, and Rick.

**Zeke McDonald:** accept amendment

**Peter Aldrian:** accept amendment

**Decision:** Unanimous in favor

**Discussion:** Dave Tompkins asked for clarification that the date of incorporation was April 18, 2012. Rick agreed.

**Zeke McDonald:** Motion to accept financial report

**Kristie Anders:** Second

**Decision:** Unanimous in Favor

Public Comment

Kristie Anders asked for public comment. None was given.

Goal 25

Kathie Ebaugh had asked that the panel go over Goal 25 and make any tweaks that were necessary. Kathie said it didn't have to be in a meeting in the sunshine but should be finalized in a public meeting. Panel came together to make small changes that did not reflect changes in the spirit of language. Peter Aldrian would like to change Goal 25 to stronger language. Kristie went through the changes to the Goal 25 language. Meeting attendees had a question regarding Objective 25.2 and Policies 25.2.1, 25.2.2, and 25.2.3. Kristie Anders said that the plan was put there in order to write code regarding transportation. Kristie reported that in the planning language, the county acknowledges that they recognize the easements because they recognize them as setbacks. If they are subject to a setback, then they should also legally recognize the pathways. Discussion continued reflecting additional changes to Goal 25.

**Peter Aldrian:** Motion to accept the changes to Goal 25 as discussed

**Dave Tompkins:** Second

**Decision:** Unanimous in favor

Vision Statement

Kristie Anders summarized that each community with a planning panel was to write an overarching vision statement. Kristie read the draft vision for members that did not have a written copy. Discussion continued regarding the strength and emphasis of the extent to which Goal 25 is used as a basis to resist pressures on Upper Captiva.

**Peter Aldrian Motion:** Accept Goal 25 as presented

**Dave Tompkins:** Second

**Decision:** Unanimous in favor

Margaret will publish the suggested changes to Goal 25 and the vision to the website.

Meeting Code Discussion

Peter Aldrian commented that there should be consistent language throughout the code. There was general agreement to use the terminology "North (Upper) Captiva". Consideration was given to the timing of the public meeting so as to ensure that the island would have enough opportunity to comment on the actual effects of the project on the island. Some interest was on holding the meeting 30 days after the first insufficiency letter. The typo that refers to "Estero Planning Committee" should also be removed.

**Zeke McDonald Motion:** To hold the on-island meeting as soon as possible after the 1<sup>st</sup> letter of insufficiency.

**Discussion:** There may be a need to not put a limit on the timing of the meeting so close to the 1<sup>st</sup> letter of insufficiency, as projects can drag on for a very long time.

**Zeke McDonald Withdrew Motion.**

**Zeke McDonald Motion:** Adopt meeting code as a draft for review by Bill Spikowski.

**Dave Tompkins:** Second  
**Decision:** Unanimous in favor

#### Dark Skies Code

Jane Mason commented that the penalties are too drastic. Margaret commented that the penalties should simply be consistent with whatever Lee County does and will delete the penalty language. Others thought that Lee County should regulate lumens instead of the North (Upper) Captiva code. Zeke argued that there should be some ability in the code to be retro-active. Margaret asked that the panel allow Margaret and Bill Spikowski to continue to work on the code so we don't lose the momentum for the project.

**Kristie Anders Motion:** Authorize Margaret Banyan to work with Bill Spikowski after members have a chance to email Margaret input.

**Zeke McDonald:** Second with a friendly amendment to also remove penalty language.

**Kristie Anders** agreed to amendment.

**Decision:** Unanimous in favor.

#### Panel Organization

##### Election Process

Margaret reported that so far there were 276 votes; 259 completed and at least one paper ballot. Margaret didn't know how many were eligible ballots or duplicates. She also reported that the IP addresses were tracked. Margaret, Kristie, and Peter will get together to determine the criteria for eligible ballots before votes are counted.

##### Clearinghouse Discussion

Tabled until next meeting.

##### Other Items Before the Panel

Rick Fox reported that Safety Harbor appointed him as the panel representative.

**Kristie Anders Motion:** Accept Rick as the Safety Harbor Club representative.

**Dave Tompkins:** Second

**Decision:** Unanimous in favor

##### Communication

Margaret reported that Tom Murphy recommended the simplest option to purchase a phone and additional microphones at approximately \$419 (phone) and \$124 (mics) and to use FreeConferencecall.com for the service.

**Zeke McDonald Motion:** Purchase phone and mics not to exceed \$650.00

**Kristie Anders:** Second.

**Decision:** Unanimous in favor

**Discussion:** Rick will coordinate contributions by UCFRD, UCCP, UCCA, and UCRC for the phone purchase.

Grant request

Kristie Anders reported that she requested \$5,000 from UCCA to continue funding for the panel's work after code writing.

**Zeke McDonald Motion:** Accept working of grant request

**Peter Aldrian:** Second.

**Decision:** Unanimous in favor

Next Meeting Date

Meeting date will be in May as scheduled by Margaret Banyan. Margaret will invite Bill Spikowski.

**Peter Aldrian Motion:** Adjourn meeting

**Dave Tompkins:** Second

**Decision:** Unanimous in favor.

Meeting adjourned at 12:38pm