

Upper Captiva Planning Panel
Approved Minutes of the April 8, 2011 Meeting

Meeting called to order at 2:08pm
Verification of notice posted for the Planning Panel.

Present: Panel Members Kristie Anders, Chair; Dave Tompkins, Vice-Chair; Rick Fox, Treasurer; Zeke MacDonald, Secretary; Peter Aldrian, Member; Dr. Margaret Banyan, FGCU Planning Consultant; Kathie Ebaugh, Lee County Department of Community Development; and members of the public. Several members of the public attended via an on-line service.

Introduction of Panel Members

Minutes Discussion: Peter Aldrian request to amend the minutes to reflect the order of the agenda. The order of the agenda was to have the board (panel) discuss their decision prior to going forward with the regular agenda. There was general agreement that panel members would discuss the approach they wanted to take on moving forward with the planning process; followed by public input; and then the panel would vote.

Zeke McDonald Motion: to approve minutes of the February 23, 2011 minutes

Rick Fox Second

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

Treasurer's Report: Rick Fox reported that no additional money had been spent, as the bill from FGCU was received the previous day. The bill would be discussed at the conclusion of the agenda.

Kathie Ebaugh requested the opportunity to discuss a comprehensive plan amendment that is a 'fix' to the map. Map fix would change property designation from Outer Island to Conservation. Property is owned by the Calusa Land Trust.

Zeke McDonald Motion: to file a 'no objection' to the change.

Peter Aldrian Second

Discussion: Questions regarding the purpose of the change and whether the requirements for notice were met.

Zeke McDonald: withdrew motion in order to handle the question at the conclusion of the meeting.

Peter Aldrian: Second

Future of Panel

Kathie Ebaugh reported on the options for future planning activities in relationship to the Lee County contract.

Option 1: Give Lee County notice to terminate contract. This would allow 72 hours for any outstanding invoices to be processed. Remaining invoices would be panel responsibility.

Option 2: Continue as is with current contract.

Option 3: Revise current contract to extend the timeline of the tasks and at no additional funding increase from Lee County. A reasonable timeline would be about one year. The panel could still decide to dissolve after that one year and could retain its option to not write code.

If the panel terminated, it will cause the community to fall out of cycle and not allow another application for a 5-year time period. Current contract can be assigned to a different entity should one be created.

Dave Tompkins clarified that the existence of Goal 25 is not contingent on the existence of UCCP. Kathie confirmed that was the case.

Peter Aldrian: Panel began as a Smart Growth 2010 program. The goal was to get input from the community to the county, state, and federal government (especially FEMA). The door to the county should stay open and that the community could not afford NOT to have a panel (roads, peppers), though he was willing to organize the panel differently.

Rick Fox: Clarified the options before the panel. Dissolving now would be a 2-3 year set back on progress.

Zeke McDonald: Other uses for the panel besides just writing code, such as land use changes, variances, eradication of pepper, road use. Community panel is a sensible and easy way to focus community and need of a liaison with the county/state/federal levels. There are a lot of things for the panel to do and it would be a waste of time and money to abandon now.

Dave Tompkins: Expressed no objection to continuing the panel, but the tasks should be different. Community is not supporting code modification. There is no future for the panel unless it becomes something different than what it is now.

Kristie: Panel had received mixed messages about direction. It was clear that there was increased support for two issues for the panel: 1) Fire district and clearing and 2) Brazilian Pepper. Should look into altering present contract.

Rick: Panel decision not to incorporate on its own was a mistake.

Public Input

Public input was mixed with regards to the tasks and the by-laws of the organization of the Upper Captiva Community Panel. General agreement that the panel should continue its work, though there was some dissention noted. [*Public input was recorded and is available using the Adobe Connect Link provided on the www.ucca1.com website*].

Zeke McDonald Motion: Ask Margaret Banyan and Kristie Anders to devise a new timeline to continue for another 12 months.

Peter Aldrian Second

Discussion: Dave Tompkins expressed opposition to that approach in favor of pushing the current contract quickly to conclusion and moving on to bigger questions rather than code.

Vote: 4 in Favor; 1 Opposed

Peter Aldrian Motion: Present by-laws of other community panels.

Rick Fox: Second

Kristie Anders: Friendly amendment to include Margaret; Accepted by Peter Aldrian and Seconded by Rick Fox.

Vote: Unanimous in Favor

Next meeting: 10am; Monday 5/2/11

Zeke McDonald Motion: Motion to express 'no objection' to land use change to conservation land from outer island.

Peter Aldrian: Second

Discussion: community informational meeting should be held adhering to public notification requirements similar to other land use changes and variances.

Zeke McDonald withdrew motion.

Peter Aldrian seconded.

Margaret asked panel to give direction on future meeting format (e.g., on-line option). Panel members requested that a phone-in option be investigated, as on-line discussion is a distraction. Rick Fox stated that he had a speaker phone.

Finances and Bills

Rick Fox Motion: Pay FGCU bill

Zeke McDonald: Second

Vote: Unanimous in Favor

Peter Aldrian Moved: Adjourn the meeting.

Second: Dave Tompkins

Discussion: None.

Motion: passed by a unanimous vote

Meeting Adjourned at 4:55 pm.