

Upper Captiva Community Panel
Approved Minutes of the December 13, 2011 Meeting

Meeting called to order at 12:05 PM

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; Lee County Staff: Kathie Ebaugh; and members of the public.

Phone conference option provided as well: Jane Pugh identified herself by phone.

September 20, 2011 Meeting Minutes

Peter Aldrian Motion: Approve minutes of September 20, 2011.

Dave Tompkins: Second

Discussion: Kristie Anders suggested change from state DEP to state Department of Agriculture and corrected the sentence, “Do you agree that the panel should remove itself from the UCCP or maintain the same structure” to Do you agree that the panel should remove itself from the UCCA or maintain the same structure”

Peter Adrian: amended motion to approve minutes of September 20, 2011 as amended; **Dave Tompkins** agreed.

Decision: Amended minutes approved by unanimous vote.

October 27 Meeting Minutes

Peter Aldrian Motion: Approve minutes of October 27, 2011.

Rick Fox: Second

Discussion: Peter Aldrian thanked everyone for their role in getting Commissioner Manning to attend the October meeting. Kristie Anders suggested a friendly amendment of the wording related to the pathways from, “Kristie summarized the idea of regulating golf cart use through rental agreements to enhance safety” to instead read, “Kristie summarized the idea of regulating golf cart use through rental agreements or ordinances to enhance safety.”

Peter Adrian: accepted amendment; **Rick Fox** agreed.

Decision: Amended minutes approved by unanimous vote.

David Tompkins suggested that we send Commissioner Manning a copy of the upcoming news letter article that concerns the Panel

Treasurer’s Report

Treasurer’s Report: Rick Fox provided the financial report as of December 13, 2011 and requested that it be attached to the December 13, 2011 minutes. There was no activity and the balance remaining for the project remained at \$23,718.

Zeke McDonald Motion: Accept Treasurer’s Report

Peter Aldrian: Second

Discussion: None

Decision: Treasurer’s Report accepted by unanimous vote.

Public Comment

Jane Pugh: No public comment at this time

Updates

Pathways

Margaret Banyan provided some background research on state laws and what other local governments are doing with golf cart regulation(s). Kristie Anders questioned how local ordinances would address the private pathways and if it can apply. The County Attorney and Captain Joe Popalardo may be able to assist in resolving this question.

The panel had a lengthy discussion regarding the proposed age limit of drivers (some thought 14 years was too young; others thought 16 should be limit – with a valid driver’s license); if there should be separate regulations for owners and renters; and the requirements for vehicles to be rented. The panel was concerned about enforcement. There was general agreement that enforcement with the rental population was more difficult than with owners. In addition, Lee County Sheriff’s Office has taken the approach that they won’t enforce driving age limit unless they hear complaints. Residents have to let them know there is a problem.

This was related to some support for the idea that further constraints might be needed on rentals (and golf cart rentals), such as lights / # of people / higher age limit. There was support for keeping the any ordinance simple and as ‘light’ as possible. In addition, there was general agreement that whatever ordinances were passed were available to renters and owners and that there is a value in shifting liability to owners of rentals in the case of accidents. Finally, the panel was concerned about the impact of electric vehicles on the island. Specifically, the panel should consider prohibiting electric vehicles that exceed a certain size, weight, or speed capacity.

There was general agreement that three codes should be considered:

- 1) The types of vehicles allowed on the island
- 2) Regulations on the vehicle itself (e.g., safe operational equipment) and allowable age
- 3) Regulations adhering to rentals (e.g., property owner must tell renters the rules they are to abide by).

Peter Aldrian Motion: Ask Margaret Banyan to draft code for the panel’s review

Zeke McDonald: Second

Discussion: Dave Tompkins wanted code before next meeting

Decision: Unanimous

Brazilian Pepper

Zeke McDonald Motion; Ask Margaret Banyan to draft a code that would require seller to remove Brazilian Pepper when property is changing hands.

Peter Aldrian: Second

Discussion: Dave Tompkins asked whether this would require maintenance (of existing lots) and other invasive exotics. Kristie Anders preferred to start with a code that covers Brazilian Pepper as described in Goal 25.

Decision: Unanimous in favor

Discussion on Brazilian Pepper continued regarding how Safety Harbor Club’s process is working. Rick Fox responded that he will be letting those owners who have not complied with the Safety Harbor requirements to remove pepper that they (Safety Harbor) will be enforcing the rule.

Night Sky

Zeke McDonald reported that Arthur Mason's wife, Jane, is now on Zeke's Night Sky committee. Kristie Anders would like to see requirements for down-shielding. Zeke asked Margaret Banyan to send him some resources to begin research on night sky ordinance(s).

Information Clearinghouse

Kathie Ebaugh reported that the county is updating its website to provide for an informational clearinghouse. Kathie encouraged members to look at the new information and provide her with comments. Kristie was interested in finding out if there was a way to get links to specific items for Upper Captiva because the search function does not provide good information. In addition, the Lee County website needs to have improved navigation tools. Kathie will send the link to panel members. Panel members should look at site and provide suggestions.

Planning Panel Organization

Margaret Banyan asked when the panel wanted to close the poll. Panel members agreed that it should be closed at December 31, 2011. Zeke McDonald was interested in having the time to figure out the process for others to take 'our' jobs and how to be a plurality panel. Dave Tompkins was interested in getting everyone possible to participate, even if it means spending money on a new phone.

Members asked Jane Pugh how well the phone option was working. She replied that some of the commentary was not coming through and was missing some of the discussion. Jane asked whether the panel had considered another form of organization.

Dave Tompkins wanted to suggest spending money on getting a better phone that can pick up more of the conversation. Zeke McDonald agreed that communication is 'our game' and that the panel needed a new phone with microphones.

Fiscal and Administrative Matters

Survey Monkey. Margaret explained that the Survey Monkey subscription was running out and that the renewal for an additional year was approximately \$300.00.

Zeke McDonald Motion: Renew Survey Monkey for an additional year

Kristie Anders: Second

Discussion: None

Decision: Unanimous

Next Meeting: Zeke asked that Margaret send out a Meeting Wizard request for January.

Zeke asked Kathie to look into a better communication system and/or tutorial posted on the web. Kathie agreed to do a Power Point tutorial.

Zeke McDonald Motion: Adjourn

Peter Aldrian: Second

Decision: Unanimous in favor

Meeting adjourned at 1:55pm.

Attach to this
months
Dec. 2011
minutes

Upper Captiva Community Panel
Financial Report
12/13/2011

Projected Budget for Implementation Phase

Planning Consultant	\$	20,250
Attorney Fees		11,100
Advertising and Community Surveys		2,500
Copying/Duplication		<u>1,150</u>
Total	\$	35,000

Implementation Phase Funding

Upper Captiva Civic Association	\$	5,000
Lee County Implementation Grant		<u>30,000</u>
Total	\$	35,000

Costs Incurred to Date (through 12/13/11)

Rotzel and Associates (Paid)	\$	823
Florida Gulf Coast University (Paid)		<u>10,459</u>
Total	\$	11,282

Balance Remaining \$ 23,718