

Upper Captiva Community Panel
Minutes
January 3, 2013

Present: Kristie Anders, Chair (by phone); Dave Tompkins, Vice-Chair; Rick Fox, Treasurer; Zeke McDonald, Secretary; Peter Aldrian, Member; Bert Trapanese, Member; Hart Kelley, member; Margaret Banyan, FGCU (by phone); Kathie Ebaugh, Lee County Planning (by phone); Bill Spikowski, Spikowski and Associates (by phone); and members of the public.

Meeting called to order at: 10:05am

Meeting Minutes

Peter Aldrian Motion approve December 11 minutes as amended

Kristie Anders: Second

Decision: Unanimous in favor

Public Comment

Dave opened for public comment. No public comment was offered.

UCCP Response to Lee County Discussion

Meeting Code

Dave asked Bill Spikowski to summarize comments. Bill summarized that with respect to meeting code, it is a better strategy to add on additional requirements and to be consistent with the Lee Plan. Hart wondered whether the applicant was required to have two meetings. Hart and Bert would like to change the common county language to reflect that meetings have to be held in the community. Kristie asked about the community planning maps and when they will take effect. Kathie responded that the maps were being updated and maps would be incorporated into new Lee Plan adoption at about the end of 2013. Discussion ensued about how to not duplicate the UCCP language and county. Kathie reminded the panel that the Lee Plan took precedence and thus meetings would not be able to be held outside the community. Bill recommended that the LDC provide all of the information in one place in the LDC. Kristie asked whether Lee County had a standard for how the applicant would respond to any issues raised by the community. Kathie responded that Lee County works with staff to see that community issues are addressed.

Dave Tompkins Motion: Approve meeting requirements with amended sections.

Bert Trapanese: Second

Decision: Unanimous in favor

Rick asked that the committee get on track with the discussion related to the code language and not rehash all aspects of the proposed code.

Golf Cart Regulations

Hart summarized that they worked on the regulations at a duly noticed meeting and the code was reduced to three pages. Discussion ensued regarding how to define "low speed vehicle." Hart was interested in taking out the low-speed definition. Zeke thought that having a speed

limitation was favorable. Kristie favored speed limitations. Discussion ensued about how to simplify the code.

Zeke McDonald: Motion to approved the section vehicle operation as amended and presented.

Kristie Anders: Second

Decision: Unanimous in favor

Dark Skies

Dave will change the illustration of the sign to say 'the restaurant' - some of the cottage signs will say "your message" - and will state incorrect and correct. Bert asked whether the community will have input on the illustrations / code. Kathie recommended that the code go to the whole community. Kathie: county review committees do not change the language of the code.

Discussion ensued about the process. Hart does not want to go forward without the input of the whole community. Debate as to whether the language should be sent to Lee County before it is sent to the community as a whole. Rick doesn't agree with having an up or down vote by the community. Hart suggested that a pro and con sheet - there should be inclusive representation. Bert was interested in having public comment. Panel agreed that the language should be sent out to the public. Bert thought the community should be given the opportunity voice their opinion - if they choose not to respond, than they suffer the consequences.

Bill Fry suggested that it was not necessary to do a vote. Panel members were elected to represent the island. They should be able to take comments and decide whether to support (or not) the language. Comments should be presented at a panel meeting - and that the panel should decide on forwarding language on.

Zeke McDonald Motion: Ask Margaret write a one-page summary and the body of the codes to everyone on the UCCA list and any other all-island list. Ask for any comments be directed to panel members.

Peter Aldrian: Second

Decision: Unanimous in favor

Bert Trapanese Motion: After the email summary has been sent and an opportunity has been presented that the panel will use an electronic method to poll the community.

Peter Aldrian Second

Discussion: Rick wonders why there needs to be an additional survey. Hart believes that there should be an electronic survey. There is an interest in a controlled way to get feedback. Kristie was concerned about looking at items in a vacuum - that is the worry about sending out a yes/no vote. Bert wants to know where the community is at in the decisions. Zeke suggested that the poll ask for comments only.

Decision: Unanimous in favor.

Brazilian Pepper

Discussion ensued regarding the enforceability of removal of pepper.

Hart Kelley Motion: provide language as read to community for feedback
Peter Aldrian: Second
Decision: Unanimous in favor.

Public announcement for the January 20th meeting.

Peter Aldrian Motion: Adjourn meeting at 12:15pm
Bert Trapanese: Second
Decision: Unanimous in favor

Meeting Adjourned at 12:15 pm