

Upper Captiva Community Panel
Adopted Minutes
May 14, 2012

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

Meeting called to order at 8:35am

Welcome to Bert Trapanese

Kristie Anders agreed to Hart Kelley's absence as excused (see below).

4/25/12 Minutes

Peter Aldrian Motion: Approve minutes as amended

Rick Fox: Second

Decision: Unanimous in favor

3/9/12 Minutes

Discussion: Clarification sought related to whether the boat barn was an approved use (or not) in the original application. Kristie reiterated that she understand the last rezoning to not intended to include boat barn storage. Kathie Ebaugh offered to request that county planning Chahram Badamtchian send the prior zoning for the property to the panel so it was clear what was approved.

Peter Aldrian Motion: Approve 3/9/12 Minutes

Dave Tompkins: Second

Decision: Unanimous in favor.

Financial Report

Rick Fox distributed the financial report and reiterated that he changed the report to reflect the dollar amount by Task. He reminded the panel that Task #2 has not been billed yet, but will be as Task #2 is completed. The panel discussed that the phone system is anticipated to be paid for out of the FGCU contract.

Zeke McDonald Motion: Ask that Margaret draft a letter to follow the procedures for the FGCU/UCCA grant in order to purchase the phone and retain on island.

Rick Fox: Second

Decision: Unanimous in favor.

Peter Aldrian Motion: Accept financial report

Dave Tompkins: Second

Decision: Unanimous in favor.

Public Comment

Marcia Andrews asked whether financial disclosures were required for all panel members and the timing for filing. Form 1 (Financial Disclosure) is required upon appointment and every year thereafter. Once Form 1 is filed, the Margaret agreed to then send forms to new members. The role of an oath of fealty was also mentioned. Kathie Ebaugh reported that other panels typically don't take oaths of fealty. The question of quorum also came up.

Kathie reported that quorum must be in the room, but directors can participate over the phone. A discussion ensued regarding absences of panel members and the process for excused absences. According to the by-laws, panel members must request an excused absence from the panel chair. Kristie reported that Hart did not request an absence from the panel chair. Margaret reported that he did let her know via email that he was working. The group AGREED to excuse the absence due to the short notice of the meeting.

Discussion ensued regarding the NCIC letter. Peter reported that he did not take sides on the issue, but was interested in how the project conformed (or not) with Goal 25. Zeke McDonald reiterated the process of crafting the letter. Bert requested clarification on whether a citizen would have seen the letter. The Secretary sent the letter to the president and members for review before posting to County Staff.

Elections Report

Peter Aldrian summarized the election process. He noted that there were duplicate votes and about 10% were questioned. In addition, there were some votes that were not verifiable, due to a piece of property listed as an LLC's but no clear documentation on who the representative was. In this election, the non-verifiable votes would have not made a difference as to the outcome. Bert suggested that there be a process to pre-qualify a list of voters. Zeke floated the idea that a group form to vet the by-laws and come up with a suitable procedure, given what we now know. Kristie suggested Captiva's process that used the Property Appraiser's list to prepare peel-off stickers that get attached to a vote, though it may be more labor intensive. Bert suggested that something be developed to suit Upper Captiva. Bert offered to work on a process. Kristie and Rick suggested that a committee of the whole meet to discuss election procedures for the future.

Margaret Banyan presented the elections report and will post the report on the web, if that was the desire of the panel.

Peter Aldrian Motion: Peter Aldrian will chair a committee to look at future election procedures and fine-tune a proposal.

Rick Fox: Second

Decision: Unanimous in favor

Zeke McDonald Motion: Accept Peter Aldrian's report on election procedures.

Rick Fox: Second

Decision: Unanimous in favor

Kristie reminded participants that the panel's next meeting will include an election of officers among the panel members.

Discussion continued regarding the role of representatives on the island and the role of the panel with respect to how the island deals with Lee County. Kristie noted that the mission of the panel is embedded in Goal 25.

Meeting Code

The panel reviewed the draft meeting code. Margaret will ask if docks are included under the four categories for which meetings are required. As the panel has already reviewed the draft, Margaret will continue to work with Bill Spikowski on providing a good draft document for review.

Night Sky

General discussion ensued regarding the form of the code language when it goes to the county. Kristie considered this an important opportunity for the county to do education and inform builders on the island. In response to a question regarding whether this conflicts with Turtle Lighting or whether it is needed, Kristie noted that the panel has already done an extensive review of existing lighting code. Zeke suggested that the panel include illustrations similar to Taos. Bert suggested making the code a function of timing, instead of shielding. Others noted that timed lights are problematic to maintain and enforce.

Updated on Code Progress

Bill Spikowski has the codes and is working on revisions and options for regulatory structure. Zeke mentioned that with respect to the golf carts, he wanted to focus on the vehicles themselves, rather than on other issues.

Informational Clearinghouse

Zeke McDonald Motion: Table until next meeting

Peter Aldrian: Second

Decision: Unanimous in favor

Fiscal and Administrative Matters

None noted

Zeke McDonald Motion: Adjourn meeting

Peter Aldrian: Second

Decision: Unanimous in favor

Meeting adjourned at 10:16 am