

UCCA Meeting December 11, 2010
11:00a.m. Safety Harbor Clubhouse

Call to Order. Board members present: Fran DeTure, Arthur Mason, Sue Ann Cousar, Gary Fisher, Sam Horsely, Joel Halberstadt, Jackie Byrnes, Richard Pepper [replacing Gary Fisher after appointment]. Also present: Linda DeTure, John Miksa, Valerie Dyke, Louis Silverstein, Dave Tompinks, Marcia Andrews, Gary Walker, Bert Trapanese, Dick Lewis, Richard Lewis, Karen Wildeman, Beverly Horsley, Vicki Kirsh, Tom Levin, Jerry Vernon, Jane Mason, Dan Davenport, Deane & Sandra Richardson.

Minutes of October 31, 2010 meeting were approved.

Richard Pepper was nominated by Arthur, voted by Board, to replace Gary Fisher's one year remaining term on the Board of Directors.

Nominating Committee - Arthur Mason: Three new Directors to be elected to Board. Later in meeting ballots will be distributed and each member may vote for three candidates. The candidates are Jackie Byrnes, Fran DeTure, Michael Farinacci, Vicki Kirsh, and Amanda St.Clair. [Votes counted at close of meeting and Fran DeTure and Jackie Byrnes were re-elected to a three year term, and Vicki Kirsh was elected to replace Sam Horsley who is rotating off. Thanks to Sam for his service.]

Treasurer's report – Fran: Checking Acct. \$5,114.74; Money Market Acct.\$41,711.13; two CD's totaling \$45,000 = Total \$91,852.87. Outstanding bills owed to Planning Panel of \$882.50, to attorney for easement issue for \$3,382.

Road Commission: Bert Trapanese: We have 3 miles of roads, estimate \$150,000 of material, plus \$100,000 labor to fix the roads for the next 25 years. Figure they need \$50,000 a year for five years. Capital improvement would be less than \$1,000 per house. MSTU is being refunded, suggests that folks donate 10% of refund from Lee County to UCRC, UCCA give 10% of \$150,000 or \$15,000. Roads need capital improvement instead of minor improvements, especially on heavily travelled roads. For example, end of Hidden Ln. needed 6 or 7 dump truck loads of fill dirt. Arthur asked about the fact that UCRC used to charge dues of \$200 a year, now only \$50. Bert responded that in those days they spent \$12- to \$15,000 a year in labor to maintain the roads, which has been cut to less than \$4,000 a year; money is being spent more efficiently. The problem with charging \$200 is that the same 100 people are keeping up the roads; need a way to tap all 300 homes to contribute to maintain roads. Road tax? Drainage is the main problem maintaining the roads, especially at end of Seair where all surrounding area is higher. There is still more fill dirt available to us on other side of canal; maybe we could go back to State and ask for more. Four other UCRC directors were introduced: Tom Levin, John Porter, Marc Broxmeyer, Richard Lewis. R. Pepper suggested that a liaison from UCCA be appointed to UCRC. That and UCCA's contribution to Road Commission will be taken up at January Board meeting. Next UCRC meeting Feb. 19, 2011.

Fire Department: Richard Pepper: File of Life (medical history) can be picked up at FD to facilitate emergency. FD was on the news last night: an elderly couple was on ICW and succumbed to carbon-monoxide poisoning. Our FD were first responders and administered oxygen. UCFRD Board meets third Saturday of every month; all are invited to attend.

Community Planning Panel: Kristie emailed report: "I can pass on to you that Margaret and I had a very productive meeting with eight county staff members. It resulted in good guidance for how we should proceed in our community survey work. We had some good dialog about current code enforcement and the challenges staff has in getting to North Captiva. It was very apparent that the county staff was committed to keeping our distinctive island character as diverse as it is, and being sensitive to our needs. Most people in attendance had been out to the island conducting work for the county and sounded familiar with the issues current and past. We will be reporting and discussing the progress we made at the next Community Panel Meeting scheduled for January 15, 2011, at 10 am.

Margaret continues to be stellar and Kathie Ebaugh from the county planning office is engaged in a very positive way. It is water under the bridge but Kathie's dedication to our work puts the past county staffer assigned to our panel to shame.

We at this point continue to stay on task and on time with our progress and people should expect that by early February there will be surveys sent out to get feedback on which new county codes that *may be possible* are important to island residents. In our discussion with county staff we learned that many codes already exist that address islanders' concerns but that it is enforcement mechanisms that present the challenge."

Next Planning Panel meeting will be January 15, 2011, at 10:00am.

Membership Committee: Dave reported that the Newsletter and solicitation will be back from printer next week and will be mailed out.

Canoe Launch/draft point: Hold harmless agreement has been executed by the FD. Draft point has been added to our liability insurance policy at no extra cost, but they suggested that its use should be restricted and not for general public, but for members only. Use as draft point may preclude putting up fence to restrict.

Beach clean-up: Fran - Thanks to Joel for bringing up idea, to John & Diane Porter, Safety Harbor Club, Chief Pepper, Bob Kinniry, Jesse, JJ, and Dan Davenport who hauled off 6 boxes of timber for only \$900. Joel had suggested that all timbers be removed to preclude future construction of tiki huts, as has already occurred since clean-up. Joel will remove all 15 pieces of timber that could be used in the future. When Jesse uncovered rebar in concrete, which has been removed to private property, is it now property owners' responsibility to remove it? Fran says he will see to it that it is removed. Question: is there a law that prevents one from constructing a tiki hut on the beach? Richard believes it is private property and no one has right to build on the beach.

Easements: Fran - No new information on easements re. day visitors' use of our roads. All subdivisions have the same language, that easements are private property intended for use by residents. Arthur reminded everyone that members have use of Barnacle Phil's as Island Girl access and parking. Purpose of agreement with Kinseys was to provide a sure point of embarkation and parking.

New easement issue is trimming back roadways. Fire District charter provides for maintaining right-of-ways and they can impose assessments to accomplish, but cannot use FD funds on private property (our easements). Chief Pepper agrees. As a property owner, we each have the right to use the private easements of each other. If the County took over private easements, they would be considered public. - not our goal. Tom suggested CDD, Community Development District, which is taxed by county but for our community use. We don't have final answer.

Next Easement issue, Dean Eisner has constructed a fence across the end of Gulf Ln. so that we no longer have access to State Park. Eisners sued themselves so that they could agree to vacate the easement between their own two lots across Gulf Ln. Bob Pritt could not help us because someone in his firm was already representing Eisners. We have new counsel, Tom Hart, and he is contacting Johnson Engineering for a copy for the unrecorded plat looking for easement language.

Attorney for Eisners was present, Beverly Grady. She spoke about why people come to the Island and the history of the new location of parking lot. Beverly asked that UCCA agree and accept what the Eisners have done. We declined. They maintain that since roads are private that they did not have to inform anyone what they were doing. Joel pointed out that their purpose was to greatly increase the value of their whole lot + half beach lot + easement that is no more. One of the consequences of this issue is that Bob Pritt can no longer represent us, including easements that they have been working on. Since nature of pathways has been an issue, Roetzel and Andress is withdrawing. Fran read letter from Pritt, received Dec. 9. Fran responded that he did not see conflict. He asked if Bob Pritt/Sean Ellis was continuing on trimming/easement question? Can we enlist county's help to address this issue? Arthur moved that we accept Bob Pritt's termination as counsel for UCCA; Sam seconded; all voted in favor. Dave asked if Pritt had just billed us for work on easements, or re day trippers and trimming? We have not received the report on easements from his law firm. Fran moved to form a committee to consider representation for UCCA, Jackie seconded, all voted in favor. We need correspondence from that period. Tom Levin says every owner in a subdivision has to sign-off on vacating easement.

Signs: Fran - There was suggestion about sign re. dogs and cleaning up after one's own dog, as well as our roads being private, but there are already five signs re. roads. All sign companies previously used are out of business. No action is intended.

Fran met with Pete Parson, court appointed receiver of Pine Island Marina. (We don't know who lender is.) Sheriff still has to give his report to court and feels lender will take over PI Marina and will be the operator and not sell it. Sheriff plans to re-open their sub-station and has a verbal agreement to that effect. Fran told them that UCCA might be interested in purchasing the parking lot across the road.

Richard Pepper moved that we give immediate assistance to UCRC, Arthur seconded. Chief Pepper spoke in favor. Bert said it can be discussed at January meeting because nothing will be done in the next month. No vote taken.

Richard moved that UCCA solicit bids from Island contractors to trim along roads and remove or chip debris. Bert clarified that their budget of \$250,000 did not include trimming of roadways. Motion seconded by Sam. Jane asked if volunteers could do that? Answer: It would be trespass, but FD has authority to keep roads clear. All voted in favor.

Meeting adjourned. Next UCCA meeting will be Sunday, January 30, 2011.

Announcements: There will be Christmas Eve Chapel service at 4:00pm followed by caroling at 4:30 house to house. Also Santa will make visits to homes Christmas Eve. Contact Mrs. Claus (Kristie) at 472-9750 to request Santa to visit your child/grandchild.

Minutes submitted by Sue Ann Cousar, secretary.