

Captiva Community Panel
MINUTES
Oct. 19, 2010

Attending: Gordon Hullar, Dave Jensen, Rene Miville, Mike Mullins, Nathalie Pyle, Sandy Stilwell

Audience: 18

The meeting convened at 9:05 a.m. Following introductions, minutes from the Sept. 14 meeting were approved unanimously (Mullins motion, Jensen second).

CEPD: Administrator Kathy Rooker noted a town hall meeting was set for today at 1 p.m. in the Wakefield Room, where district consultants will talk about the next renourishment project, its cost, and answer questions from the public. Then the district will hold its board meeting tomorrow (Oct. 20) at noon in the Auger Room at Chadwicks Square, which will include a public hearing on the tentative project apportionment plan. The district's engineer and economist will be in attendance to answer questions and you will be able to get a copy of your property's tentative assessment. Rooker said Captiva will always be an erosional beach and an active beach. Discussion followed about what will be presented at the Oct. 20 meeting and the recreational use of beaches. It was noted that an estimated \$84 million a year to Lee County is generated by visitors to Captiva in 2010. Off-island expenditures generate another \$21 million to Lee County each year. The district is drilling down into these numbers, will publish more details later.

EAR UPDATE: County planner Kathie Ebaugh opened by noting this would be a workshop presentation of the Vision Framework report, which will be published today and distributed to whomever wants it and posted on the county and panel website. She said the community planning program was the No. 1 success of the planning process. The county had adopted a very aggressive schedule to revise the Lee Plan as required every seven years. The major issues to be addressed were: Livability... Strong connections... Community character... Sustainability. followed was a presentation of the vision statement and principles, framework. Next steps discussed, year-long schedule to make revisions.

Miville noted that Lee County is the poster child for suburban sprawl, how will you generate in-fill and job growth? With residents, not absentee owners? Ebaugh said the county will focus on areas that can become community centers. Pyle asked how this applies to Captiva, what are we? Ebaugh said the island is suburban, with a great community center or downtown already in place. We need to create similar centers elsewhere in Lee County. Doris Holzheimer asked about marine resources planning, has that been considered so the focus is not solely on land? Pyle asked when these changes would be implemented in county policy and when will we see a difference? Jerry Murphy said changes would be policy by 2012, in the LDC by 2014. Bigger answer is that when the economy comes back and people start investing in projects, we'll see these changes being implemented on the ground. Not going to see this tomorrow, but we hope to be prepared when it occurs, to be proactive rather than reactive. Ebaugh said we're enabling this vision, we dug ourselves a pretty big hole and we have a lot of turning around to do, it's not going to happen overnight. 2035 is our horizon date, when things will start to feel different.

Mullins asked about the impact on marine environment, saying that if you want to know where a government's heart lies, look at its budget. Is this pabulum or meat? How will commissioners enforce

land use plan and allow it to be changed. He was suspicious of the county's commitment to the coastal and marine environment due to the way they allocate the money. Ebaugh said that the county administration is committed to this vision and plan, we believe the commissioners will support it as well. We're asking you "Are we right?" and hoping that you take ownership of this vision and plan. Miville asked if this report could incorporate a coastal management element? Ebaugh said there is a coastal management element, a coastal element and a capital improvements element. Murphy said the report goes to the state Department of Community Affairs, they approve and recommend changes to implement the plan. As far as allocation of funds to coastal needs, the panel could pursue that by inviting the appropriate officials to upcoming meetings. Ebaugh continued her discussion of the revision schedule and plans, and said the county will continue to work with community Panels as they have been identified them as a valuable point of contact for these issues. Max Forgey said there were great opportunities now due to the economic issues we face. How do we measure success? Are there other ways to participate in policy making process?

LDC SURVEY: Gooderham briefly presented an overview of the survey responses, accompanied by a handout that detailed the breakdowns and public comments. This would be posted on the website as well. Miville said the panel should move forward now, that this was valuable input but that it would not substantially change the draft language and by moving forward we could initiate a dialogue with the county on revisions as we discuss it further. Pyle asked to discuss how to proceed and how to incorporate this input. When asked if there was any deadline to be met, Gooderham and Ebaugh noted that there was no firm deadline for LDC submissions and that a placeholder for any plan amendment (due to changes in the height restriction language) was already in place. Murphy said the draft will be reviewed by the county attorney and advisory committees, but the panel can continue to work on language and submit to staff as you move forward. He said the panel could send in this draft if it has the flavor of what you want to do.

Mullins said the panel should advance the draft to the next stage and continue discussions. Ebaugh said the language was not likely to be approved by staff on the first go-around. It's close, since you already had a preliminary review, but don't presuppose you'll get this through on the first try. Mullins asked if the panel will have final veto authority? Ebaugh said staff will give you comments, but not specific language. Murphy said multiple versions could go forward, the panel version and the staff version. Submit as a draft you're in the process of revising. Miville made a motion to forward the LDC draft as prepared last spring (Hullar second). Hullar said the public comments were very informative and helpful. Pyle said advancing the draft at this point is premature, it implies support for all the components. How we will treat the survey results in the final draft? Miville said the panel could allow a minority report as part of the panel vote, and also account for the CCA influence in the survey outcome. Pyle asked to instead act at the November panel meeting, that it was irresponsible not to have more discussion before we advance this forward. Mullins said advancement is not irresponsible, it's a no-brainer and allows us more time to hear from the community as they return this season. He was concerned about the terrible tainting at South Seas with Bob Lloyd's attempt to influence the homeowner association presidents.

Gooderham noted that the draft submission would include a full report on the process to date, and that he would recommend the panel make any decisions by the December meeting before new panel members are seated. Not being involved throughout this process puts them at a disadvantage. Ebaugh said that staff will look at the policies submitted, not at public input. Harry Kaiser said why not have a meeting to send forward what you want? Mullins said this gives us the chance to have staff input while we're having the discussion. it would be nice to have the benefit of that staff feedback. Stilwell said her opinion has changed, she would like to get county feedback and have experienced panel members vote

on this issue. Pyle reiterated she felt we should wait until November to decide. The question was called to a 5-1 vote to approve (Pyle dissenting). Pyle asked what are we doing on this in November? Ebaugh said to expect staff comments by December, realistically. Mullins said they should plan November to be devoted to this subject. Pyle requested the panel go specifically point by point and have some conversation about feedback from the community. Mullins agreed the issues should be handled point by point in November. Get the word out to come to the meeting, so by December we should have consensus.

Miville left the meeting at ~11:00 a.m.

LCEC: LCEC representative Tricia Dorn offered an introduction and background on remaining issues the utility hoped to address: reliability and generating power. LCEC Director of Governmental Relations Frank Cain made the presentation (which has been posted on the panel website). Mullins asked if these were Captiva-specific figures? Cain said they were. Mullins asked whether the over-water lines were monitored in real time to trigger an alarm and keep boats away from lines, or is it after the fact? Cain said they were looking at alarms, but now it's after the fact. He said the utility was looking at possibly raising the line to Sanibel as well in the channel portion, but not sure if or when it will happen...very expensive.

Cain noted that LCEC was not in the power generation business, that their rates among the lowest in the state. He compared four types of power options....turbine, wind, solar and diesel generators (see PowerPoint for discussion and figures). Backup diesel generators would cost \$5.64 million, need 8,000 square feet to install, and require 9,000 gallons an hour to operate. Mass generator would only help in whole-island outages, no advantage when outage is isolated...better to have your own generator to address that. Mullins asked for an explanation of the SADI figures, a discussion followed.

Librarian Ann Bradley again noted the consistent brownouts at 5-6 p.m., which were tough on the equipment. Dorn said LCEC could set up voltage meters to monitor power at the library. Holzheimer said the issues were the length of time of outages and the number of outages...very damaging to equipment. Kim Herres asked if the utility had a slush fund to replace TV and appliances? Cain said no, but we have a claims department where you can apply to be reimbursed. We don't guarantee continuity, if you lose business I hope you have it covered in your business continuity insurance. Pyle said she heard the presentation by LCEC CEO Dennie Hamilton over the summer, and was glad to hear you're considering raising the lines now. Cain said undergrounding underwater is phenomenally expensive, not going to happen. Not committing to raising the line, but the board is looking into it. Holzheimer asked what we can anticipate in terms of trimming trees? Cain said they will only trim to the right-of-way, and crews will ask homeowners if they can remove problem trees and replace elsewhere. The utility is committing to coming more often out here since they grow so quickly. Dorn said they could put notification of trimming on the panel website and send it to the email list.

HURRICANE RESPONSE: Holzheimer said the committee met for the first time yesterday. The Structural Safety Inspection program still needs volunteers. They're planning an education program, probably in May. Sky-Train personnel are willing to come back in March, tentatively March 2nd. The committee won't do another property authorization mailing this year, had a tremendous response from the one last spring. The authorization form is still on the website. Mullins asked if it carries forward if there is no change? Holzheimer said yes, and she is confirming whether another signature is needed to make a change.

2011 MEETING DATES: Gooderham said after polling the panel Tuesday were still the preferred

meeting date. Looking at the current meeting schedule for the panel and CEPD, he saw only one conflict in June, but it still depends on CEPD setting its 2011 schedule. He would put this on the November agenda in hopes of making a decision at that point.

FINANCES: Gooderham noted the current reserves and the handout detailing the expenditures for the CPOA fiscal year (which ended Sept. 30). He will work on a draft 2011 panel budget for the November meeting, and would need input from committees on any money they might want to request.

WATER QUALITY: Jensen said he had met with SCCF staff to look at a date for a project summary meeting, and provided an update report to the panel in its packet. He was finding out that many people aren't aware of new state laws requiring inspections for septic systems every five years. He was trying to discuss how this would be handled with the Health Dept., just don't know the plan to implement this yet. Their plans may conflict with our code, and state law will supersede anything we plan. Mullins asked if the panel had received any SCCF feedback on the proposed septic language in the LDC draft requested the previous month? Jensen said they offered full support of the code we wrote, but are still figuring out the new state law. Mullins said he didn't see a conflict if we require something before the state law takes effect.

OTHER BUSINESS: Mullins asked if there would be a report from the Nominating Committee next month on new panel members? Gooderham said the committee had found willing candidates to serve , and a report would be scheduled for November. Mullins asked whether the panel was advertising its openings? He wanted to be sure people understood it was not a self-appointing panel as was implied by others such as the CCA, that seats were wide open to the community.

The meeting adjourned at 11:55 a.m.

-- Ken Gooderham, administrator