

Captiva Community Panel
MINUTES
Dec. 9, 2014

Attending: Jay Brown, Jack Cunningham, Mike Kelly, Paul McCarthy, Jerry McClure, Mike Mullins, David Rohn, Sandy Stilwell, Susan Stuart

Audience: 12

Meeting convened 9:05 a.m. Following introductions and roll call, the Nov. 11 minutes (Brown/McClure) were unanimously approved.

CEPD: *Kathy Rooker:* District has contracted with Advantage Construction Co, of North Port, low bidder for beach tilling. Good references from other cities. Must be done before Feb. 1 for plover nesting, looking at starting Monday after New Year's Day. Start on Sanibel for one day, then move to Captiva going north to south, Out of here end of that week, weather permitting. Required to go down 36 inches to ensure sand is not compacted. *David Mintz:* White ropes along dune vegetation deteriorating rapidly, will there be a systematic replacement of that or piece by piece? *Rooker:* Looking at options, board needs to decide. *Mullins:* Ropes were meant to protect plants, if they don't hold up as long as vegetation is established it's OK. Intended to be temporary.

CFD: *Chief Rich Dickerson:* Volunteer of the year was Ron Gibson. Explanation. Employee of the Year was Lt. Paul D'armen. Be aware of Xmas tree fire safety, home fires rare but higher instances of fatalities. Water trees daily. Good video on You Tube showing importance of Christmas tree fire safety. We will be in the new station by the end of February or first of March.

LCSO: *Sgt. Mike Sawicki:* On noise complaints, analyzed 115 data points for violations from 2010 to present. Andy Rosse was center of problem, as expected. Possible design issue may be resolved, Osprey Way another hot spot, used for wedding receptions and other activities. Looking into solutions for that. Trolley service interest expressed by owner, seem committed to idea. Want to avoid multiple trolleys and confusion for visitors. If interested in meeting about this, let me know and I'll facilitate. *Cindy Brown:* Route? *Sawicki:* Not sure right now. Sounded like entire island. *Mintz:* Issue of interest to panel in workshops, this person should come to panel to present their plans. *Sawicki:* Not bound to come before you, but I'll see what I can do to get them engaged. *Mullins:* Panel might want to appoint committee, CEPD may also be interested. *JBrown:* Private person can start up service? *Sawicki:* As long as they obey traffic laws and rules, we have no issue as long as they do not pose a traffic hazard. *???:* Golf carts, extending access to Tween Waters, where does that stand? Underage drivers is a major problem. *Sawicki:* Inside resort there are a, different set of rules, we would need an agreement between resort and county to enforce traffic laws. We can enforce criminal acts. Explanation of cart ordinance. Not misdemeanor so we cannot write citations, can stop and warn. Have rental agents get tough on rules of use, might be best approach. Discussion of issues. *McCarthy:* Pedestrian safety is a huge issue, people seeking to add to traffic should come to us to discuss. They operate on public roads, so they should explain their plans for use of our roads.

Hurricane Committee: *Doris Holzheimer:* Nothing to report. Committee will meet in January, will confirm time for Daniel Noah and SkyWarn presentation. Applying for NFEM designation? (Stilwell joined meeting.)

Fund-raising: *McCarthy:* Recap of efforts. Expected more checks between last meeting and this one. Send another mailing out before year end, or people can encourage neighbors to contribute. Hope someone picks up this effort after I leave panel this month. Shows buy-in. *JBrown:* How many went out? *McCarthy:* 1,000. *McClure:* Should send another mailing. *JBrown:* How many responded? *McCarthy:* About 50? Follow up with a reminder to people we know? *Mullins:* List of annual contributors? For January? *McCarthy:* Want to spread the contribution network. Disproportionate number of businesses, need to include private homeowners in support list. Also panel members should support and take on efforts such as this. *Mullins:* Post on website? *Cunningham:* Proposed second mailing goes out to those who have not contributed yet. *Dave Jensen:* Reach out those people we know personally? *Mullins:* Send list to panel members before mailing. Why can't we get more money from county for our work here from county's Unincorporated MSTU funds? Increase grants from the county?

Communications: *Stuart:* Also leaving, reach out to new people in January, put new panel members in papers and on website.

Financial: *Ken Gooderham:* Explanation of statements provided. Noted that 2015 budget would be discussed later.

Planning: *Max Forgey:* Introductions. Background on River Hall, being reviewed at state level. New board of community is resident-controlled now. They have withdrawn all common lands from calculation of density, which is crucial in this case. Explained why it matters to development request.

South Seas Proposal: *Gooderham:* Background. *Sharon Jenkins-Owen:* Planner Nettie Richardson and Zoning Director Pam Houck will be here for January meeting, also to discuss Tim Murty rezoning request as well. Discussion of RS-3 request. *Hans deVaughn:* Background of ownership history at SSIR, on four timeshare boards. Believes this plan will change resort and island. More units without more amenities will tax our capacity, traffic issues as well. Employees did not use roads and downtown amenities, so these new units will increase intensity. Traffic, amenities, sewer, water. *Gooderham:* Send questions to me before next meeting to forward to South Seas team.

Plan update: *Forgey:* Undertaking a review of proposed Captiva Plan language based on workshops and meetings, what's next explained in the last slide. *JBrown:* How will changes be addressed? Discussion. *Mullins:* If something needs more work, we can break it out into workshops. Other issues that we agree on, move forward with them. *Forgey:* Taking a global look at community plan to add, subtract or amend. Explanation of steps... survey, workshops, summary draft reviewed by panel over the summer, developed draft to work from today. *Mintz:* Building heights and underground utilities options, should they be in the plan with wording flexible enough to respond to needs? *SJO:* If you think you might want it, put it in the plan. *Forgey:* Include details only if you really want them to be enforced in court. *Kelly:* Rather than wordsmith the entire thing, go through the entire plan and identify those areas you need to spend more time on. Need some semblance of order on going forward next.

Forgey: Continued presentation, discussion of vision statement introduction to plan. Discussion on next steps. *Mullins:* Main issues are vegetation, sewer vs. septic, underground utilities, building heights, transportation. *Mintz:* Importance of plan, code and existing code enforcement regulation. Add bullet point to vision? *Mullins:* Enforcement as a carve-out? Building heights as a Village issue? Require a separate survey? Carve out. *Mintz:* Can Village language be done independently or will plan need to be amended? *SJO:* Put in performance standards? *Mullins:* What about RSC-2 zoning issues on south end

of island.

JBrown: Panel needs a special meeting to hash out changes. *Kelly*: Schedule a panel work session on changes. Flag things that need to be changed. *JBrown*: Motion to table discussion to a workshop at some other time (Stilwell). *Cunningham*: Special meeting before next meeting? *McClure*: New members in January, should you finish with the current set of members? *Stilwell*: People work to attend panel meetings, need to acknowledge that. Motion passed unanimously. *Mullins*: List of issues to address? Plan meeting Jan. 13 at 1 p.m., possibly into the next morning if we need that time. Panel to identify issues that members want to discuss at length to allow presentation to focus on those. *CBrown*: Keep comments with original language. *Stilwell*: Remember this is a fluid process that never stops. *Stuart*: Make it simple and understandable *JBrown*: Can we ask the people going off the panel today try to attend the Jan. 13 meeting?

Nominations: *Mullins*: Spoke with Sarah Wackerly with All Star Vacations, happy to wait or work on committee. Nomination withdrawn. We have Mike Boris and Dave Jensen plus David Mintz as the Nominating Committee nominee. *Cunningham*: What about Barb Harrington? *Mullins*: No follow through so assumed she wasn't interested at this time. *Cunningham*: What about the CPOA appointment? *Mullins*: Board asked me to consider being its appointee. Explanation of process, term limits, precedence of Mike Kelly in 2011. *McClure*: Don't have CPOA seat open now. *Mullins*: We have three seats open, two to fill from panel, one from CPOA. Three names have been offered... Dave Jensen, David Mintz, Mike Boris. Rohn/JBrown motion to accept Mintz. Unanimous approval. Kelly/ JBrown motion to accept Jensen. Unanimous.

Cunningham: Why doesn't CPOA appoint Jensen as rep? *Mullins*: CPOA has right to appoint their own person. *Cunningham*: Not aware Jensen was a nominee. *Mullins*: Bylaws say nominations can come from the floor. Review of bylaw provisions. *Cunningham*: Completely object to second vote. Discussion of bylaws, Mullins status. *JBrown*: Thought we had just two candidates, or CPOA option to keep Mullins on. *Mullins*: Reiteration of who was available to appoint. *Cunningham*: Bylaws say letters must be submitted in advance. If CPOA wants Jensen on the board, they can appoint him. At large should be Mintz and Boris, Jensen does not fit under terms of bylaws. *Mullins*: In event of dispute decision made by panel president. Distinction of appointments by panel or by two organizations. *JBrown*: Should have been explained before vote that we had three candidates for two seats. *Stilwell*: Ballot to vote for two out of three. *Rohn*: Could not weigh all candidates in the order of submittal. *Cunningham*: Jensen not eligible to be candidate.

McClure: Motion to increase panel to 11 add at-large candidates (Stilwell). *Mullins*: Proposed at last meeting, have done this before. *Stilwell*: Can make bylaws change. *Cunningham*: Should be going down in number, not up. Do not agree that Jensen should be a candidate. Bylaws should not be up to the whim of the president. *Mullins*: Need to understand the intent of the drafters of the bylaws. *Rohn*: Let's change way we vote to a secret ballot, will resolve the whole thing. Discussion. *Mullins*: Question whether method of voting was proper. Happy to change method of voting if you do not want to enlarge panel. Vote was 7-2 to deny motion (Mullins/McClure dissent).

JBrown: Recap of nominees. Cunningham thinks Jensen is not a legitimate nominee, Mullins says he is. Silent vote conducted. Results were: Mintz 9, Jensen 8, Boris 1. Mintz and Jensen elected to at-large seats. *McCarthy*: Third person could be CPOA person, replace McClure or change bylaws. *JBrown*: Could still participate in audience. *Mullins*: I still need to decide if I will accept CPOA offer. Will let them know before the next meeting. *Stilwell*: Something to be said for continuity, could create a past-

president seat to achieve that. (Brown leaves meeting.) *Cunningham*: Still want to change the way members are elected.

Officers: The panel then voted for 2015 officers (all votes were unanimous, nominators in parentheses).

- **President:** Kelly (McCarthy/Stilwell) Discussion, needs a good VP due to summer absence.
- **Vice-president:** Stilwell (Kelly/McCarthy).
- **Treasurer:** Cunningham (Stilwell/McClure).
- **Secretary:** McClure (Kelly/Mullins).

The 2015 budget was unanimously approved (Rohn/Kelly) as presented. The 2015 panel meeting schedule was unanimously approved (Kelly/Mullins) as presented. A suggestion was made to consider making the change of officers to January with new panel.

NOTE: Subsequent to this meeting, in a Dec. 16 phone call Gooderham was informed that CPOA appointed Mike Boris to its open seat, to begin service in January.

Bylaws: *Cunningham*: We have a number of issues that need to be changed, plan to present at January meeting. Include this at that time? *McCarthy*: Don't want to tie him into controversial issues. Act on it today, we can vote on it at Feb. 10 meeting. *McClure*: Motion to increase at-large positions by amendment to the bylaws, from a total of 10 to 11 (McCarthy). Article Two, Section 1, "... consist of eleven (11) voting Members..." "an additional four (4) members." Unanimous approval.

Other business: *Holzheimer*: Thanks to Susan Stuart and Paul McCarthy for their service on panel. *Mintz*: Sanibel prohibited buses carrying 10 or more passengers from parking or unloading at city parking lots and beaches." *Mullins*: Need to investigate whether Turner is included in that. Will they all come to Turner Beach now? Or Captiva beaches in general. Ask city for clarification. *McCarthy*: Will it help our public access ability to gain federal funding? Bus could eliminate our traffic. *Mullins*: Lee county TDC is holding meeting at Tween Waters Thursday afternoon, good opportunity to see them in action and show island interest.

The meeting adjourned at 11:45 a.m.

-- *Ken Gooderham, administrator*